

IN THE DISTRICT COURT OF BECKHAM COUNTY
STATE OF OKLAHOMA

RALPH OLIVER
Petitioner,

v.

OKLAHOMA DEPARTMENT OF CORRECTIONS;
SCOTT CROW, Director of DOC;
TONIA DICKERSON, Manager Sentence Administration;
JIMMY MARTIN, Warden of NFCC;
STEPHANIE ORMAND, NFCC Records Officer
Defendants.

BECKHAM COUNTY
FILED
SEP 17 2020
BY DONNA HOWELL COURT CLERK DEPUTY

Case No. W1-2020-2

PETITION OF WRIT OF MANDAMUS (12 OS §1451 ET SEQ) AND / OR
HABEAS CORPUS (12 OS § 1331 ET SEQ)

COMES Now, Ralph Oliver, Petitioner pro se, states and alleges by way of the required form, for an inmate, (12 O.S. 2003.1) to the Court, the enumerated items below. In addition, the Petitioner reminds the Court that he is a layman in the law and without legal training or education. Therefore, he requests this Honorable Court provide liberal construction to this motion. Haines v. Kerner, 92 S.Ct 594 (1972); Hall v. Bellmon, 935 F.2d 1156 (10th Cir. 1991).

- 1) The Petitioner's present address is North Fork Correctional Center, 1605 E. Main Street, Sayre, Oklahoma 73662.
- 2) The Petitioner has been a resident of the State of Oklahoma for 22 + years.
- 3) The Defendant(s)
 - a) The Department of Corrections, which is an agency of the State of Oklahoma. The Defendant's address is General Counsel, David Cincotta P.O. Box 11400, Oklahoma City, OK 73136, or 3400 M.L. King Ave. Oklahoma City, OK 73111
 - b) The Defendant Scott Crow, is employed by the Department of Corrections as the Director of the Department of Corrections. The Defendant's employment address is 3400 M. L. King Ave. Oklahoma City, OK 73111. At the time the claim(s) alleged in

this complaint arose, was this Defendant acting under Color of state law? X Yes, or, ____ No. If answer is “yes”, briefly explain: The Director is ultimately responsible for all DOC Policies.

- c) The Defendant Tonia Dickerson, is employed by the Department of Corrections as the Administrator of the Sentence Administration and Offender Records Unit. The Defendant’s employment address is 3400 M. L. King Ave. Oklahoma City, OK 73111. At the time the claim(s) alleged in this complaint arose, was this Defendant acting under Color of state law? X Yes, or, ____ No. If answer is “yes”, briefly explain: The Administrator is responsible for following and ensuring that DOC employees follow the DOC Policies and Procedures.
- d) The Defendant Jimmy Martin is employed by the Department of Corrections at North Fork Correctional Center as the Warden. The Defendant’s employment address is 1605 East Main Street, Sayre, OK 73662. At the time the claim(s) alleged in this complaint arose, was this Defendant acting under Color of state law? X Yes, or, ____ No. If answer is “yes”, briefly explain: The Warden is responsible for following and ensuring that North Fork Correctional employees follow the DOC Policies and Procedures.
- e) The Defendant Stephanie Ormand is employed by the Department of Corrections at North Fork Correctional Center as a Records Officer. The Defendant’s employment address is 1605 East Main Street, Sayre, OK 73662. At the time the claim(s) alleged in this complaint arose, was this Defendant acting under Color of state law? X Yes, or, ____ No. If answer is “yes”, briefly explain: The NFCC Records Officer is responsible for following and ensuring that the DOC Policies and Procedures are followed.

4) Jurisdiction:

Although a person may request an improper writ, if the cause is tried without objection to the remedy sought *** the petitioner is entitled to the relief sought although under a different form of writ, the court has the power and should grant the proper relief” Stewart v. Judge of 15th Judicial Dist. 542 P.2d 945, 947 (1975 OK 156). See also Woolen v. Coffman, 676 P.2d 1375, 1376.

a) Mandamus: Pursuant to Oklahoma State 12 O.S. § 1451 et. seq., “To compel the performance of any act which the law specially enjoins as a duty resulting from an office, trust or station; it cannot control judicial discretion. And OCCA Rule 10.6 (B). A writ of mandamus is appropriate against prison officials when a prisoner’s minimum due process right have been violated. Johnson v. Department of Corrections, 916 P.2d 264, 265 (1996 OK CR 18), quoting Waldon v. Evans, 861 P.2d 311, 313 (Okla Cr. 1993)

b) Habeas Corpus: Pursuant to Oklahoma State, 12 O.S. § 1331, “every person restrained of his liberty, under any pretense whatever, may prosecute a writ of habeas corpus to inquire into the cause of the restraint, and shall be delivered therefrom when illegal.” “The proper procedure for seeking review of the administration of a sentence by the DOC is to file a petitioner for writ of habeas corpus in the district court of the county where the inmate is being restrained.” Daniels v. State, 809 P.2d 68. The only issue a petitioner for writ of habeas corpus presents is whether or not the petitioner is restrained of his liberty by due process of law. That is to say, whether the court in which the prisoner was convicted had jurisdiction of the person of the defendant and the crime charged, and if the court had authority by law to render the particular judgment.

The Oklahoma Court of Criminal Appeals has repeatedly held that the writ of habeas corpus is limited to cases in which the Judgment and Sentence is clearly void. The burden of proof is upon the petitioner to sustain the allegations thereof. And the error must affirmatively appear from the record, it is never presumed. The only issue a petitioner for writ of habeas corpus presents is whether or not the petitioner is restrained of his liberty by due process of law: that is to say whether the court [or agency] in which the prisoner was convicted [or re-sentenced] had jurisdiction ... and if the court [agency] had authority by law to render the particular judgment. Tuggle v. Page, 427 P.2d 439, 1967 OK CR 73 [emphasis and inserts added]

It has been repeatedly been held by this Court [OCCA] that one is not entitled to be released from Penitentiary on a Writ of Habeas Corpus, unless the judgment and sentence under which he as serving is void. Ex parte Brewster, 284 P.2d 755, 1955 OK CR 69

The office of a writ of habeas corpus is not to determine the guilt or innocence of the prisoner and the only issue, which presents is whether he is restrained of this liberty by due process of law. Ex parte McAllister, 94 Okla Crim 196, 232 P.2d 649

5) Venue:

- a) Mandamus: The writ of mandamus may be issued by Supreme Court or District Court, or any justice or judge, [] to any inferior tribunal, corporation, board or person. Therefore, the District Court of Beckham County has venue and personal jurisdiction.
- b) Habeas Corpus: Pursuant to 12 O.S. § 131 et.seq, “Actions brought where subject located.” “Challenges to unlawful custody or restraint must be initiated pursuant to the constitutional right of the writ of habeas corpus in the county where the prisoner is being held in accordance with the procedures set for in 12 O.S. 1331 et. seq.” Mahler v. State, 783 P.2d 973 (1989 OK CR 82) Therefore, District Court of Beckham County, State of Oklahoma, has the venue and personal jurisdiction.

6) Briefly state the facts of the case:

- a) Petitioner was originally charged for three (3) counts of Sexually Battery a Minor Child (SEXBC) under Title 10 O.S. § 7115. Petitioner was found guilty by the Tulsa County District Court on all three (3) counts and sentenced to 15 years for each count to be served consecutively. The Jury assessed that the crimes were committed on May 1, 1999. (See Exhibits 1 and 2)
- b) The mandatory 85% sentencing rule, for certain felony offenses, became effective on March 1, 2000. (21 O.S. § 12.1). Thereby, for certain felony offenses, which Sexually Battery a Minor Child is one (21 O.S. § 13.1), if the offense happened prior to March 1, 2000 the punishment was not a mandatory 85% of the sentence.
- c) DOC Sentence Administration correctly billed Petitioner in the DOC system using the “date of offense” as May 1, 1999. (Exhibits 3, 4, 5; 6, 7, 8, 13, 29, & 30)
- d) Petitioner discharged his first sentence on September 14, 2008, (Exhibit 8, page 2 of 3) and re-billed to his second sentence.
- e) On or about October 25, 2012, DOC Sentence Administration completed a “Time Calculation Audit”. (Exhibits 9 and 10) Defendants’ discovered that Petitioner’s Trial Courts Judgment and Sentencing Orders did not contain “Dates of Offense” or “Statutory Reference.” And Defendants’ failed to contact the sentencing court to

obtain missing information in the Judgment and Sentencing Order (Exhibit 1), as required by law (22 O.S. 37, 22 O.S. § 977 (A) (4), 978, 979) and DOC Policy (DOC P – 010300, DOC OP – 060100 & OP – 060211).

- f) The audit wrongfully determined the “date of offense” was 2-27-2001. This date is after the date of March 1, 2000, in which the law became effective to apply the mandatory 85% sentencing. Therefore, 2,700 days (earned credits) were revoked to Petitioner’s sentence without any due process. (See exhibit 8, page 2 of 3)
 - i) Petitioner was never afforded (1) advance written notice of the claimed violation, (2) a written statement by the fact finder as to the evidence relied on and the reasons for the disciplinary action, and (3) the right to call witnesses and present documentary evidence in his defense. As per OCCA Rule 10.6 (B)
- g) This erroneous date was derived from the filed District Attorney’s information sheet (Exhibit 11). This information sheet is simply the allegations of an officer preceding a trial; a charging instrument. This is not the sentencing / disposition information generated by the Trial Court after the proceedings. (Exhibit 2) **Petitioner was erroneously and illegally re-billed back to his first sentence.**
- h) If DOC Sentence Administration would not have had illegally re-sentenced Petitioner he would have discharged his second sentence on or before November 14, 2014. And if Petitioner continues to maintain his security level 4, he will discharge his third and final sentence on or before January 14, 2021. In other words, Petitioner needs to be immediately released from DOC’s illegal sentencing, so he is at liberty to serve the sentence imposed by the District Court of Tulsa.

7) Grounds and supporting facts:

- a) The Petitioner alleges the following Constitutional rights, State laws, Department of Corrections Policies, privileges or immunities have been violated:
 - i) U.S.C.A. 14th Amendment,

The Fourteenth Amendment of the United State Constitution guarantees that:

Sec1: All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. NO state shall make or enforce any law which shall abridge the privileges or immunities of citizen of the United States; nor shall any state deprive any person of life, liberty or property **without due process of law;**

nor deny to any person within its jurisdiction the equal protection of laws.
(emphasis added)

ii) U.S.C.A 7th Amendment,

“The right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of common law.”

“Issues of law are to be resolved by the Court and issues of fact are to be determined by the jury under appropriate instructions by the Court.” Baltimore & Carolina line v. Redman, 55 S.Ct 890.

iii) OK Const. Article 1 § I,

Oklahoma is an inseparable part of the federal union and the United States Constitution is the supreme law of the land. Thereby insuring this Plaintiff the full panoply of protections and guarantees of the United States Constitution

iv) (22 O.S. § 977 (A) (4), 978, 979)

The “Date of Offense” and the “Statutory Reference” need to be included in the judgment and sentence order.

v) (57 O.S. § 37)

B. 3. Plea paperwork, Summary of facts and Sentence on Plea or Sentencing after Jury Trial Summary of Facts may be used as sentencing documents. Or pre 2015 wording. The receipt of the certified copy of the judgment and sentence shall be certification that the sentencing court has entered a judgment and sentence and all other necessary commitment documents.

D. If the Department receives a judgment and sentence document from a county that includes inaccurate information from the sentencing court the Department shall notify the county within a timely manner.

vi) OCCA Rule 10.6 (B)

(1) Advance written notice of the claimed violation, (2) a written statement by the fact finder as to the evidence relied on and the reasons for the disciplinary action, and (3) the right to call witnesses and present documentary evidence in his defense.

vii) Department of Corrections Policies

(1) DOC P - 010300

The Oklahoma Department of Corrections (ODOC) is established in accordance with applicable statutes and regulations with the goal of ensuring

public safety through the provision of professionally managed correctional services **pursuant to order of the court**, the Pardon and Parole Board, applicable statutes and Board of Corrections (BOC) policy. [emphasis added]

A. Incarceration

It is the mission of the ODOC to provide ..., keep accurate records.

(2) DOC P - 060100, Opening Statement:

The Oklahoma Department of Corrections (ODOC) properly classifies inmates/offenders, administers sentences and provides clemency consideration in accordance with the order of the courts and statutory requirements

I. Classification

A. Classification Standards

1. The ODOC has established a comprehensive and uniform classification system, based on security and programmatic needs, for the supervision of incarcerated inmates and supervised offenders
2. Established procedures ensure the classification system of the agency is an objective/descriptive system.

III. Sentence Administration

The ODOC ensures the length of confinement or supervision is calculated accurately, recorded and implemented in accordance with the order of the court and statutory requirements.

1. Standards for sentence administration are established to ensure inmates/offender under the jurisdiction of the agency are incarcerated/supervised according to the order of the sentencing court.

(3) DOC OP - 060201 I. Initial Intake Procedures

The Facility Classification manager will ensure a legal sentencing document has been received from the court of jurisdiction for each inmate scheduled to be received for assessment and reception

(4) DOC OP - 060211

The Oklahoma Department of Corrections (ODOC) is required to administer sentences in accordance with the Judgment and Sentence issued by the District Courts (22 O.S. 978, 979). All inmates/offenders remanded to the custody or supervision of the ODOC are confined or supervised in accordance with the order of the sentencing court and statutory authority. The manager of Sentence

Administration is the final departmental authority in all matters of inmate release dates commitment technicalities ad the time calculations.

I. Procedures for Handling a Questionable Reception

C. Legal Issues Involving a Judgment and Sentencing or Sentencing Document:

If the manager of Sentence Administration or the manager of Classification and Population belied that a Judgment and Sentence or other sentencing document does not comply with Oklahoma law, the manager of Sentence Administration or the manager of Classification and Population may submit a request for the General Counsel to review and provide a legal opinion.

II. Procedures for the Application of Time Credits
(second Paragraph)

Sentence to be served by an inmate in ODOC are calculated by first establishing a beginning release date, which is the term of incarceration, as **designated by the commitment document**, added to the reception date.
[emphasis added]

A.1. Proper documentation means the Judgment and Sentence or other sentencing documents. [emphasis added]

VII. F. Compliance With Court Orders

2. If a serious legal or administrative problem does exist, the facility or district will immediately request assistance from the manager of Sentence Administration, and/or communicate with the Court in an attempt to resolve any technical difficulties.

VIII B. Unacceptable Documents

Should any of the [] elements be absent from commitment documents accompanying an incoming inmate from a county jail to the assessment and reception center, reception staff will normally refuse acceptance of said inmate until properly completed documentation is produced.

viii) Common Law

(1) In re Jensen, 2012 WL 3686270, the State of Washington's DOC policy "provide that each sentence in a consecutive series was separate, that earned release credits would be certified at the end of each term of incarceration and those credits could not be lost after the offender transferred to the next consecutive sentence or cause. An offender is justified in expecting that the department will follow its own policies regarding risk classification re-assessment. Pullman, 167 Wn.2d at 218

b) The following facts support the allegations above:

- i) U.S.C.A. 14th Amendment, U.S.C.A 7th Amendment, OK Const. Article 1 § I. The DOC Sentence Administrator applied illegal authority and jurisdiction. This illegal activity overruled the Tulsa County District Courts sentencing and lengthened Petitioners sentence from being able to serve about 1/3 of his sentence, approximately 20 years, to a mandatory 85% of his sentence, approximately 38½ years. (57 O.S. § 138) This was accomplish without all the rights afforded an accused in a Trial Court of competent jurisdiction, thereby, denying the Petitioner of his "due process" of law.
- ii) DOC Sentence Administration failed to follow the law and DOC Policy in obtaining the correct information from the sentence court. Or if DOC Sentence Administration did acquire the appropriate sentencing documents at the time of Petitioner's initial reception these records were lost or misplaced. (22 O.S. § 977 (A) (4), 978, 979) (57 O.S. § 37) (DOC P - 010300, P - 060100, OP - 060201, & OP - 060211)
- iii) This audit of 2012, used an inappropriate "information sheet"¹ to wrongfully determine that the "dates of offenses" were 2-27-2001, thereby, illegally imposing the 85% law. (21 O.S. § 12.1). By using this wrongfully determined date, the date the jurors or the triers of fact selected, (05-01-1999), was nullified and Petitioner was denied the right of due process. As identified, the "date of offense" was

¹ The "information sheet" used by the DOC Sentence Administration is NOT disposition information derived by the Court or tier of facts. The "information sheet" that was used by DOC Sentence Administration is only a charging document.

correctly selected by the jurors and appropriately disclosed in disposition section of the certified docket sheet. [Exhibit 2].

iv) OCCA Rule 10.6 (B). “In proceedings to revoke earned credits an inmate must be afforded (1) advance written notice of the claimed violation, (2) a written statement by the fact finder as to the evidence relied on and the reasons for the disciplinary action, and (3) the right to call witnesses and present documentary evidence in his defense when permitting him to do so would not be unduly hazardous to institutional safety or correctional goals.” Wolf v. McDonnell 94 S.Ct 2963.

Petitioner was not afforded any of these steps.

v) Petitioner was correctly billed upon his arrival at DOC’s Assessment & Reception center and subsequently discharged his first sentence on September 14, 2008, (exhibit 8, page 2 of 3). It is reasonable to believe from the information provided in the attached exhibits that DOC received the correct and appropriate information when Petitioner was transferred to the custody of DOC. However, DOC apparently has either discarded this reception information or has chosen to ignore it. Either way Petitioner “is justified in expecting that the department will follow its own policies.” Pullman, 167 Wn.2d at 218 .

8) I have filed other lawsuits in the State or Federal Court dealing with the same fact involved in this action. Yes No If the answer is “yes,” describe each lawsuit.

a) Writ of Mandamus #1

i) Parties to the previous lawsuit:

Plaintiff: Ralph Oliver

Defendant(s): Department of Corrections

ii) Name of court and case number:

The District Court of Oklahoma County; Case No. CV-2017-2422

iii) Case Status: Action Dismissed: for failure to serve the Defendants or by operation of the law 12 O.S. § 2004 (I)

- iv) Issues Presented: To order the Department of Corrections to comply with their prior directives and return statutory credits removed by records officer. In addition, have his judgment and sentence order amended to reflect date of offense.
- v) Date of Filing: December 13, 2017
- vi) Date of Disposition: February 26, 2019

b) Writ of Mandamus #2

- i) Parties to the previous lawsuit:
Plaintiff: Ralph Oliver
Defendant(s): Department of Corrections; Tonia Dickerson, Sentence Administrator; Jimmy Martin, Warden; Mark Knutson, Director's Designee; Ancilla Monden, Records; Terri Smith, Case Supervisor; Sharon Combs, Case Supervisor; Tisha James, Case Supervisor
- ii) Name of court and case number:
The District Court of Oklahoma County; Case No. CV-2019-1013
- iii) Case Status: Action Dismissed: for filing in the wrong venue and using the wrong type of actions.
- iv) Issues Presented:
 - (1) The Court to direct DOC to recognize the date of Offense as May 1, 1999.
 - (2) The Court to Direct DOC to comply with their directives and return statutory earned credits.
 - (3) The Court to order DOC to correct time records.
 - (4) To have Petitioners judgment and sentence order amended to reflect date of offense.
 - (5) To have the Information Sheet amended to reflect the correct date of offense.
- v) Date of Filing: April 29, 2017
- vi) Date of Disposition: August 23, 2019

c) Appeal Writ of Mandamus #2

- i) Parties to the previous lawsuit:
Plaintiff: Ralph Oliver
Defendant: Department of Corrections, et. al.

- ii) Name of court and case number:
The Oklahoma Supreme Court (118,268); Removed to The Oklahoma Court of Criminal Appeals (MA-2019-898)
- iii) Case Status: Action Dismissed (District Court's Dismissal Affirmed)
- iv) Issues Presented: Venue was correct and type of actions was correct for two (2) of the five (5) issues raised in application for writ of mandamus.
- v) Date of Filing: September 24, 2019; transferred to OCCA, December 9, 2019
- vi) Date of Disposition: December 18, 2019

9) I have sought informal and formal relief from the appropriate administration officials regarding the acts stated in number 8 of this petition. Yes No. If your answer is "yes," briefly describe how relief was sought and the outcome of the proceedings. If your answer is "no," briefly explain why administrative relief was not sought:

- a) A Request to Staff, submitted to Records/Ancilla Monden, dated 11-30-12, complained about being re-billed. Response: As you were told by records Officer Monden your Information Sheet states your crimes on Count 1 of your cases were committed between 5-1-99 and 2-5-01, counts 2 and 3 were committed between 5-1-99 and 2-27-01. Per state statute these crimes are 85% crimes because they were committed after 3-1-2000. I am forwarding your information sheet and the response from Records Administration, Jim Rabon, concerning the validity of using the 85% statute. This will be final correspondence concerning this question. Any further request to staff in regards to this will be considered harassment of staff." (Exhibit 14)
- b) A Request to Staff, Submitted to Inmate Records Officer, dated 7-19-17, complained about being re-billed. Response: This was addressed on 12-10-12. Nothing has changed you are 85% (Exhibit 15).
- c) An Inmate / Offender Grievance form, to Warden Jimmy Martin, dated 7-31-2017, complained about needing my revoked credits back (Exhibit 16)

- d) A Grievance Appeal to the ARA, dated 8-16-17, challenging Date of offense. (Exhibit 17); Response: You exhausted your administrative remedies concerning this issue on 4/18/16. Do not resubmit. (Exhibit 18)
- e) A Request to Staff, dated 3-11-2020, to Records Department; needing copies of "Reception Information". Response: Your commitment information is all from your J&S you must request from the county. I do not know what the "reception information" form is that you are requesting. Get a policy number. (Exhibit 22)
- f) A Request to Staff, dated 2-5-2020, to Records Department; Requesting that DOC acquire the appropriate information from Tulsa County District Court. Response stated, "We can only use information and dates on the Judgment and Sentence. The disposition of information is not dates we use." (Exhibit 19)
- g) An Inmate / Offender Grievance form, to Warden Jimmy Martin, dated 2-18-2020, Requesting that DOC acquire the appropriate information from Tulsa County District Court (Exhibit 20). No Response
- h) An Inmate / Offender Grievance form, To ARA Designee Mark Knutson, dated 3-23-2020, Requesting that the Warden answer the Grievance dated 2-18-22. (Exhibit 21). No Response (See also Exhibit 25 & 26)
- i) A Request to Staff, dated 6-24-2020, to Scott Crow / Director DOC; Why has there not been a response from the last grievance, dated 3-23-2020. Response: dated June 26, 2020, Never Received information (Exhibit 23) (See also Exhibit 25 & 26)

Petitioner states he exhausted his available administrative remedies. Prison administrative procedures are unavailable for purposes of the PLRA's exhaustion requirement when, despite what regulations or guidance may promise, it operates as a simple dead end with officer unable or consistently unwilling to provide any relief to aggravated inmates. Ross v. Blake, 136 S.Ct 1850. Such as seen in this circumstance, Defendants' were consistently unwilling to provide any relief and prison staff disrupts mail to the ARA. See exhibits 14, 25 and 26.

10) Relief Requested:

- a) Writ of Mandamus:

Petitioner ask this Honorable Court to grant his request of issuing a Writ of Mandamus to the Oklahoma Department of Corrections (DOC) and the North Fork Correctional Center (NFCC), Inmate Records Officers, (the agents of DOC), to contact the Tulsa County District Court (Trial and Sentencing Court) to provide and verify the “Date of Offense” from the appropriate Court documents (disposition information, NOT allegation/charging information). And then recognize and re-implement this “date of offense” and return all the earned credits. Or

b) Writ of Habeas Corpus:

Petitioner ask this Honorable Court to grant his request by issuing a Writ of Habeas Corpus to release the Petitioner from an unlawful sentence induced by the Department of Correction’s Sentence Administration when they arbitrarily selected a “Date of Offense” from a non-relevant document and incorrectly applied the mandatory 85% sentencing law. The sentence imposed by the Department of Corrections denied the Petitioner of his right to due process of law. Therefore, the Department of Corrections and it’s agent’s need to recognize the “date of offense” as the sentencing court ordered as May 1, 1999, so that the petitioner is uninhibited to serve the sentence imposed by a Court of competent jurisdiction.

11) Have you brought any lawsuits in state or federal court within the last ten (10) years?

 X Yes, or, No. If your answer is ‘yes’, a sworn affidavit listing the litigation and the outcome of the litigation must be attached.

12) I am representing myself. X Yes, or, No. If your answer is ‘no’, please explain.



Ralph Oliver, #413607
Unit EN – 260
North Fork Correctional Center
1605 East Main Street
Sayre, OK 73662

This form is to be used by an inmate of a penal institution, pursuant to 12 O.S. 2004 § 2003.1, for civil actions initiated against the State, the Department of Corrections, another state agency or political subdivision as set forth in 57 O.S. § 566.

VERIFICATION

STATE OF OKLAHOMA)
) ss.
COUNTY OF BECKHAM)

VERIFICATION/DECLARATION UNDER PENALTY OF PERJURY

Pursuant to 12 O.S. Supp. 2002 § 426, the Petitioner state under penalty of perjury and under the laws of Oklahoma that the foregoing is true and correct; that the Petitioner has read the foregoing and affixed his signature hereto at the NORTH FORK CORRECTIONAL CENTER, SAYRE, OKLAHOMA on this 9 day of September, 2020. Pursuant to 22 O.S. § 748, Rule 4(c) Rules of the District Courts of Oklahoma.

Ralph Oliver
Ralph Oliver, #413607

CERTIFICATE OF SERVICE

I, Ralph Oliver, the undersigned hereby certify that on the 9 day of September, 2020 I mailed a true and correct copy of the foregoing by placing same into the institutional legal mailing system at NORTH FORK CORRECTIONAL CENTER, SAYRE, OKLAHOMA with postage prepaid thereon to:

Donna Howell, Court Clerk, P.O. Box 520, Sayre OK 73662

Ralph Oliver
Ralph Oliver, #413607

EXHIBIT INDEX

- 1) Judgment and Sentence Order - 2 pages
- 2) Certified Docket Sheet with Disposition Information (Certified on Jan. 29, 2020) - 3 pages
- 3) Consolidated Record Card - 1 page
- 4) Notification of Parole Consideration, dated 3/18/2002 - 1 page
- 5) Adjustment Review, dated 8/21/2003 - 1 page
- 6) Adjustment Review, dated 12/12/2003 - 1 page
- 7) ODOC Time Sheet August 31, 2008 - 1 page
- 8) Sentence Time Tracking Sheets- 3 pages
- 9) Memorandum From Ancilla Monden, Records. TO: Ralph Oliver - 1 page
- 10) Emails between Jim Rabon, Administrator, and Ancilla Monden, Records Officer.- 1 page
- 11) District Attorney Information Sheet - 1 page
- 12) ODOC Time Sheet October 31, 2017 - 1 page
- 13) Request to Staff, Submitted to Records, dated 9-4-08 - 1 page
- 14) Request to Staff, Submitted to Records/Ancilla Monden, dated 11-30-12 - 1 page
- 15) Request to Staff, Submitted to Inmate Records Officer, dated 7-19-17 - 2 pages
- 16) Inmate/Offender Grievance, to Jimmy Martin, Warden; dated 7-31-2017 - 2 pages
- 17) Misconduct/Grievance Appeal to ARA NFCC 17-141, dated 8-16-17 - 2 pages
- 18) Answer to Grievance Appeal to ARA NFCC 17-141, dated Sept. 5, 2017 - 1 page
- 19) Request to Staff, Submitted to Records Dept., dated 2-5-2020 - 2 pages
- 20) Inmate/Offender Grievance, to Jimmy Martin, Warden; dated 2-18-2020 - 2 pages
- 21) Inmate/Offender Grievance, to Mark Knudson, ARA Designee, dated 3-23-2020 - 1 page
- 22) Request to Staff, Submitted to Records Dept., dated 3-11-2020 - 2 pages
- 23) Request to Staff, Submitted to Scott Crow/Director DOC, dated 6-24-2020 - 1 page
- 24) Answer to Grievance Appeal to ARA 20-214, from Directors Designee, dated June 26, 2020 - 1 page
- 25) Affidavit of Ralph Oliver - 2 pages
- 26) Affidavit of Kent Savage - 1 page
- 27) Portions of DOC OP 060211
- 28) Inmate Request, to Susan Davidson, dated 9-21-18 - 1 page
- 29) Notification of Parole Consideration Date, dated 11-15-2007 - 1 page
- 30) Hand Copy of "Oklahoma Department of Corrections Reception Information" Screen identification number OMS0002D - 1 page *Received actual Printed copy from Case manager, Mary Davidson on 8-19-2020*

IN THE DISTRICT COURT IN AND FOR TULSA COUNTY, OKLAHOMA

2002 MAR -8 A 8:55

State Of Oklahoma, -vs- RALPH OLIVER SS.# 575-08-1450 DOB 11-6-63	Case No. CF-2001-1429 Count No. 1
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DISTRICT COURT
F I L E DJUDGMENT AND SENTENCE
All Time In Custody
Felony

MAR 08 2002

Now, this 27th day of February, 2002, this matter comes on before the Court for sentencing and the defendant appears personally and by his or her Attorney of record, Wes Johnson, and the State of Oklahoma is represented by Chad Moody, and the Court Reporter, Barbara Tiffey is present.

SALLY HOWE SMITH, COURT CLERK
STATE OF OKLA, TULSA COUNTY

The defendant has entered a plea of **not guilty** and is found guilty by a Jury of the crime of **SEXUALLY BATTERY A MINOR CHILD**.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED by the Court that the defendant, is guilty of the stated offense and is sentenced to **FIFTEEN (15) YEARS** all under the custody and control of the **DEPARTMENT OF CORRECTIONS. CREDIT FOR TIME SERVED. RUN CONSECUTIVELY WITH CT. 2 (FELONY) AND CT.3 (FELONY). DEFENDANT REQUEST TO BE HELD 10 DAYS BEFORE TRANSPORT.**

IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT that in addition to the preceding terms, and the general miscellaneous costs of this action. **COMPLETE A SEX OFFENDER PROGRAM AT JOSEPH HARP FACILITY, NO JUDICIAL REVIEW.**

IT IS FURTHER ORDERED BY THIS COURT THAT JUDGMENT IS HEREBY ENTERED against the defendant for all costs, fees, fines, and assessments ordered in this action and he or she is ordered to report immediately upon conclusion of this sentencing hearing, or within ten (10) days of discharge, if the defendant is currently incarcerated, to the Tulsa County Court Clerk to pay all costs, fines, fees, and assessments ordered in this action - or - to the Tulsa County

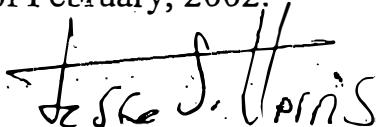
Exhibit 1
Page 2 of 2

Court Cost Administrator to make arrangements to pay the costs, fines, fees, and assessments as ordered pursuant to the Rule 8 Hearing held this day.

The Court further advised the defendant of his or her right to appeal to the Court of Criminal Appeals of the State of Oklahoma and of the necessary steps to be taken by him or her to perfect such appeal, and that if he or she desired to appeal and was unable to afford counsel and a transcript of the proceedings, that the same would be furnished by the State, subject to reimbursement in accordance with 22 § O. S. 1355.14, 20 § O. S. 106.4 (b), and, ADC-72-33.

In the event the above sentence is for incarceration in the Department of Corrections, the Sheriff of Tulsa County, Oklahoma, is ordered and directed to deliver the defendant to the Lexington Assessment and Reception Center at Lexington, Oklahoma, and leave therewith a copy of this Judgment and Sentence to serve as warrant and authority for the imprisonment of the defendant as provided herein. A second copy of this Judgment and Sentence to be warrant and authority of the Sheriff for the transportation and imprisonment of the defendant as herein before provided. The Sheriff is to make due return to the clerk of this Court with his proceedings endorsed thereon.

Witness my hand this 27th day of February, 2002.



HON. JESSE HARRIS, JUDGE

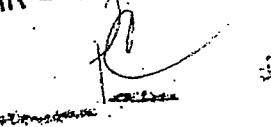
ATTESTATION:

SALLY HOWE SMITH
District Court Clerk Tulsa County

By: 
JEAN McCASKEY, CLERK

RECEIVED

MAR 15 REC'D



IN THE DISTRICT COURT IN AND FOR TULSA COUNTY, OKLAHOMA

<p>State of Oklahoma, Plaintiff, v. RALPH OLIVER, Defendant.</p>	<p>No. CF-2001-1429 (Criminal Felony)</p> <p>Filed: 03/09/2001 Closed: 02/27/2002</p> <p>Judge: Harris, Jesse S.</p>	<p>Exhibit 2 page 1 of 3</p>
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Parties

OLIVER, RALPH, Defendant
STATE OF OKLAHOMA, Plaintiff
Tulsa Police Department, ARRESTING AGENCY

Attorneys

Attorney	Represented Parties
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Events

Event	Party	Docket	Reporter
Wednesday, March 14, 2001 at 9:30 AM ARRAIGNMENT(ARR)	OLIVER, RALPH	Arraignment Docket	
Wednesday, April 11, 2001 at 9:00 AM PRELIMINARY HEARING ISSUE (PRIVATE ATTORNEY)(PVP)	OLIVER, RALPH	Preliminary Hearing Docket	
Monday, April 16, 2001 at 10:00 AM DISTRICT COURT ARRAIGNMENT(DCA)	OLIVER, RALPH	Jesse S. Harris	
Friday, August 31, 2001 at 9:30 AM ALLEN (DISCOVERY) HEARING(ADH)	OLIVER, RALPH	Jesse S. Harris	
Monday, September 10, 2001 at 9:30 AM JURY TRIAL (ISSUE)(JTI)	OLIVER, RALPH	Jesse S. Harris	
Monday, September 17, 2001 at 9:30 AM JURY TRIAL (ISSUE)(JTI)	OLIVER, RALPH	Jesse S. Harris	
Wednesday, September 19, 2001 at 9:00 AM JURY TRIAL (ISSUE)(JTI)	OLIVER, RALPH	Jesse S. Harris	
Thursday, September 20, 2001 at 9:30 AM JURY TRIAL (ISSUE)(JTI)	OLIVER, RALPH	Jesse S. Harris	
Thursday, October 11, 2001 at 13:30 PM DISCLOSURE OF RECORDS & APPEARANCES OF WITNESS HEARING(HEA)	OLIVER, RALPH	Jefferson D. Sellers	
Monday, October 22, 2001 at 9:30 AM JURY TRIAL (ISSUE)(JTI)	OLIVER, RALPH	Jesse S. Harris	
Monday, November 5, 2001 at 9:30 AM JURY TRIAL (ISSUE)(JTI)	OLIVER, RALPH	Jesse S. Harris	
Wednesday, November 7, 2001 at 8:30 AM JURY TRIAL (ISSUE)(JTI)	OLIVER, RALPH	Jesse S. Harris	
Monday, January 7, 2002 at 9:30 AM JURY TRIAL (ISSUE)(JTI)	OLIVER, RALPH	Jesse S. Harris	
Tuesday, January 8, 2002 at 9:00 AM JURY TRIAL (ISSUE)(JTI)	OLIVER, RALPH	Jesse S. Harris	
Wednesday, January 9, 2002 at 9:00 AM JURY TRIAL (ISSUE)(JTI)	OLIVER, RALPH	Jesse S. Harris	
Thursday, January 10, 2002 at 9:00 AM JURY TRIAL (ISSUE)(JTI)	OLIVER, RALPH	Jesse S. Harris	
Friday, January 11, 2002 at 9:00 AM	OLIVER,	Jesse S. Harris	

JURY TRIAL (ISSUE)(JTI)
Monday, January 14, 2002 at 9:00 AM
JURY TRIAL (ISSUE)(JTI)
Wednesday, February 27, 2002 at 9:30 AM
SENTENCING (AFTER JURY VERDICT)(SEN)

RALPH
OLIVER,
RALPH
OLIVER,
RALPH

Jesse S. Harris
Jesse S. Harris

Exhibit 2
Page 2 of 3

Counts

Parties appear only under the counts with which they were charged. For complete sentence information, see the court minute on the docket.

Count # 1. Count as Filed: SEXBC, SEXUALLY BATTERY A MINOR CHILD , in violation of 10 O.S. 7115
Date Of Offense: 05/01/1999

Party Name: **Disposition Information:**

OLIVER,
RALPH **Disposed:** CONVICTION, 02/27/2002. Jury Trial.
Count as Disposed:SEXUALLY BATTERY A MINOR CHILD (SEXBC)
Violation of 10 O.S. 7115

Count # 2. Count as Filed: SEXBC, SEXUALLY BATTERY A MINOR CHILD , in violation of 10 O.S. 7115
Date Of Offense: 05/01/1999

Party Name: **Disposition Information:**

OLIVER,
RALPH **Disposed:** CONVICTION, 02/27/2002. Jury Trial.
Count as Disposed:SEXUALLY BATTERY A MINOR CHILD (SEXBC)
Violation of 10 O.S. 7115

Count # 3. Count as Filed: SEXBC, SEXUALLY BATTERY A MINOR CHILD , in violation of 10 O.S. 7115
Date Of Offense: 05/01/1999

Party Name: **Disposition Information:**

OLIVER,
RALPH **Disposed:** CONVICTION, 02/27/2002. Jury Trial.
Count as Disposed:SEXUALLY BATTERY A MINOR CHILD (SEXBC)
Violation of 10 O.S. 7115

Docket

Date	Code	Count	Party	Serial #	Entry Date	User Name	
03-05-2001	CTFREE	-	OLIVER, RALPH	42878073	Apr 5 2001 1:15:46:710PM	OSCN\DorcasLukenbill	\$ 0.00
SINGER TODD: ARRAIGNMENT PASSED TO 3-9-01 9:30 A.M. BOND \$50,000 PER COUNT. DEFT PRESENT IN CUSTODY, NOT REP BY COUNSEL. COMMITMENT ISSUED.							
03-09-2001	TEXT	-		42536330	Mar 9 2001 3:09:43:000PM	OSCN\BillyeDixon	\$ 0.00
CRIMINAL FELONY INITIAL FILING.							
03-09-2001	INFORMATION	1	OLIVER, RALPH	42536543	Mar 9 2001 3:23:11:400PM	SYSTEM\Autodocket	\$ 0.00
DEFENDANT OLIVER, RALPH WAS CHARGED WITH COUNT #1 SEXUALLY BATTERY A MINOR CHILD IN VIOLATION OF 10 O.S. 7115							

Exhibit 2
Page 3 of 3

07-11-2018 ACCOUNT

OLIVER, RALPH 105886967 Jul 11 2018
4:42:24:943PM OSCN\sundywileyRECEIPT # 2018-3794223 ON 07/11/2018. TRANSFERRED FROM DOC CHECK # 013528210
PAYOR: TOTAL AMOUNT PAID: \$ 0.00.

LINE ITEMS:

CF-2001-1429: \$4.32 ON TRANSFER TO AC01 CLERK FEES FOR OLIVER, RALPH.

MRC-2018-82: \$-4.32 ON TRANSFER FROM AC99 HOLDING FOR DEPARTMENT OF CORRECTIONS.

12-18-2018 ACCOUNT

OLIVER, RALPH 107432687 Dec 18 2018
3:31:07:430PM OSCN\DamiaCollis

\$ 0.00

RECEIPT # 2018-3869506 ON 12/18/2018. TRANSFERRED FROM DOC CHECK #13543888
PAYOR: TOTAL AMOUNT PAID: \$ 0.00.

LINE ITEMS:

CF-2001-1429: \$1.44 ON TRANSFER TO AC01 CLERK FEES FOR OLIVER, RALPH.

MRC-2018-176: \$-1.44 ON TRANSFER FROM AC99 HOLDING FOR OKLAHOMA DEPARTMENT OF CORRECTIONS.

01-02-2019 ACCOUNT

OLIVER, RALPH 107529220 Jan 2 2019
1:19:58:780PM OSCN\DamiaCollis

\$ 0.00

RECEIPT # 2019-3874340 ON 01/02/2019. TRANSFERRED FROM DOC CHECK #013536800
PAYOR: TOTAL AMOUNT PAID: \$ 0.00.

LINE ITEMS:

CF-2001-1429: \$4.32 ON TRANSFER TO AC01 CLERK FEES FOR OLIVER, RALPH.

MRC-2018-139: \$-4.32 ON TRANSFER FROM AC99 HOLDING FOR OKLAHOMA DEPARTMENT OF CORRECTIONS.

10-09-2019 CTRS

OLIVER, RALPH 110860805 Oct 9 2019
12:00:00:000AM MIS/AUTODOCKET2020OTC

\$ 0.00

CLAIM FOR INTERCEPT OF TAX REFUND

Balances

Party	Costs Due	Costs Paid	Balance Due	Cash Bonds	Bond Forf.	Overpayments	Holding
OLIVER, RALPH	\$ 1,650.57	\$ 154.82	\$ 1,495.75	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Tulsa Police Department	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Generic Party	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Totals	\$ 1,650.57	\$ 154.82	\$ 1,495.75	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00

Report Generated by The Oklahoma Court Information System at January 29, 2020 11:01 AM

End of Transmission.

I, Con Newberry, Court Clerk, for Tulsa County, Oklahoma,
hereby certify that the foregoing is a true, correct and full
copy of the instrument recited herein as appears on record
in the Court Clerk's Office of Tulsa County, Oklahoma, this

JAN 29 2020

By _____
Deputy

X

OKLAHOMA STATE DEPARTMENT OF CORRECTIONS - Consolidated Record Card

Case 5:20-cv-01018-G Document 1-2 Filed 10/06/20 Page 32 of 61

413607

03/15/2002

DOC Number

DOC Reception Date

MALE	WHITE	5'8"	238 lbs	BROWN	HAZEL
Gender	Race	Height	Weight	Hair	Right Eye

OLIVER, RALPH

575-08-1450	1247095	790813DB5
SSN	OSBI Number	FBI Number

Alias Names and Additional SSN

EDWARD, RALPH BRUCE

11/06/1963 NO 01/2006

OLIVER, EDWARD

Date Of Birth Victim Notification Parole Eligibility

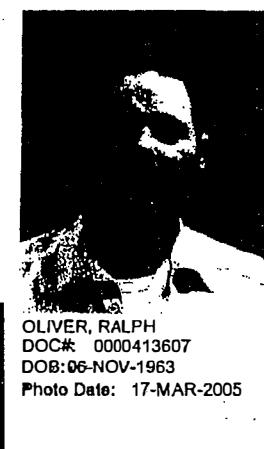
OLIVER, RALPH BRUCE

CHRISTIANITY

Religion

PIPE WORKER/PLUMBER, WELDER

Skills



Emergency Contact: OLIVER, LILIENI

Contact Address: 5107 E 45TH ST

Telephone Number: (918) 6635106

TULSA

OK

Zip Code: 74135

CRF	Count No.	J & S Date	County of Prosecution	Offense Description	ETC	Sentences	
2001-1429	1	02/27/2002	TULSA	SEXUALLY BATTERY A MINOR CHILD	NO ETC	15 YR	85%
2001-1429	2	02/27/2002	TULSA	SEXUALLY BATTERY A MINOR CHILD	NO ETC	15 YR CS	85%
2001-1429	3	02/27/2002	TULSA	SEXUALLY BATTERY A MINOR CHILD	NO ETC	15 YR CS	85%

Movement History

From To Date

Classification/Job

Action Date

Disciplinary Record

Charge Code Date

Punishment

Code

TULJ	LARC	03/15/2002	in: 01/02	3/27/02	Disobedience to Orders	12-1A	11/18/01	DS20; LEC120; L260	1A2A13
LARC	LCF	4/14/02	C. Prod. Academy	2/17/04	Individual Disruptive Behavior	2-27A	12/2/04	DS20; LEC120; L260; Fine 38.10	1A2A3A4
ICE	GPCE	2/10/04		/ /			/ /		
GPCE	SHCC	3/15/05		/ /			/ /		
SHCC	JHCC	/ /		/ /			/ /		
		/ /		/ /			/ /		

Notification of Parole Consideration Date

Form 008-1
(7-98)

Name: Ralph NMI Oliver Date: 03/18/2002
 DOC Number: 413607 Facility: LCF
 Parole Docket: January 2006

INMATE COPY

Parole docket date is based up

T/S 50 percent of sentence One-Third (Crime committed on or after July 1, 1998) 57 O.S.322.7
 T/S 75 percent of sentence
 T/S 85 percent of sentence
 One-Third of the sentence
 Three or more incarcerations for three or more felonies, which requires you to serve the lesser of one-third or ten years (57 O.S. 332.7 B.)
 Three or more convictions for robbery, which requires you to serve ten years (21 O.S. 8
 Convictions for racketeering, which requires you to serve one-half of the sentence (22 O.S. 1404)

<u>Annual from:</u>	<u>No Docket:</u>	<u>Denial:</u>	<u>Waiver:</u>
<input type="checkbox"/> Escape return	<input type="checkbox"/> Projected Discharge within 180 days	<input type="checkbox"/> Annual	<input type="checkbox"/> Annual
<input type="checkbox"/> Return / Rebill to parole violation	<input type="checkbox"/> Delayed Sentencing Program	<input type="checkbox"/> Two Years	<input type="checkbox"/> Two Years
<input type="checkbox"/> Return from PPCS for program	<input type="checkbox"/> Sentence Suspended upon program completion	<input type="checkbox"/> Three Years	<input type="checkbox"/> Three Years
<input type="checkbox"/> Last favorable consideration	<input type="checkbox"/> Parole Violation-less than 28 months to serve	<input type="checkbox"/> Four Years	<input type="checkbox"/> One-third
<input type="checkbox"/> Other: _____ _____	<input type="checkbox"/> Sentence of Life without parole <input type="checkbox"/> Death Sentence	<input type="checkbox"/> Five Years <input type="checkbox"/> No Redocket <input type="checkbox"/> One-third <input type="checkbox"/> Prior to Discharge	<input type="checkbox"/> Prior to Discharge

Reason For This Docketing

Initial Docketing
 Rebill
 Jail Time Modification
 Escape Redocket
 Delayed CC
 CS case

Detainer
 Appeal
 Audit
 Other

Missing Information:

Jail Time
 FBI Abstract
 OSBI Abstract
 Other

Prior file

Comments

ADJUSTMENT REVIEW

New Arrival/ Adjustment Review/ Earned Credit Level

Exhibit 5
Page 1 of 1

Inmate Information

Facility	LCF	Facility Arrival Date	04/04/02	LARC Arrival date	03/15/02
Inmate Name	OLIVER, RALPH	Inmate DOC #	413607	Gender	M
Date of Assessment	08/18/03	Housing restrictions	N	Identification	Y
Name of Emergency Contact	LILIENI, OLIVER	Relationship	WIFE	Phone Number	918-663-5106
Address	3430 TANGLEWOOD PL. ANCHORAGE, AK 99517	Will I/M reside at this residence after re-entry?			YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>

Sentence Information

Special Conditions of Suspended sentence/Parole	85% N 75% 521 eligible	57 O.S. 1991 Sec 521 eligible					
PPWP eligibility	N	Days Remaining					
Prior Convictions	NONE	Number of Prior Convictions	NONE				
Assessed security	MIN	Security Points	3	Assigned Security	MED	Mandatory Override?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
Misconduct History	NONE	Active Misconduct points			0	Date of last Misconduct	NONE
Parole Date	2/2006	Parole Stipulations					
Parole Conditions							

Current Patterns of Behavior

Performance rating = Poor, Good, Excellent, Outstanding

Staff	OUTSTANDING	Program Participation	OUTSTANDING	Job	OUTSTANDING
Other Inmates	OUTSTANDING	Personal Hygiene	OUTSTANDING	Living Area	OUTSTANDING
		Program / Job Evaluations			
		Month/Year	Rating	Assignment	
		NO CURRENT	EVAL'S	AT THIS TIME	

Case Plan

Initial	Needs	Plan of Action	Projected Enrollment	Restrictions/Comments
	TFAC	COMPLETE	WAITING LIST FOR TFAC	COMPLETED GED AND LIFE SKILLS
Updated Plan		Plan of Action	Projected Enrollment	Restrictions/Comments

Warden/District Supervisor or designee approval

Pre- Release

Needs	Referral Name Address Phone number	Appointment time
-------	------------------------------------	------------------

Earned Credit level	4	Effective Date	1-1-03	Promotion	Demotion	No Change	XXX	Enhanced
---------------------	---	----------------	--------	-----------	----------	-----------	-----	----------

Prepared by B. Oliver Date 8/21/03Chairperson R. Underwood Date 8-21-03Member JM Black Date 8/21/03Date of Next Review 12-18-03 Comments Min. Elig. 5-25-12Inmate Signature Ralph Oliver Date 8/26/03EXHIBIT 2
SOC 060203 A

ADJUSTMENT REVIEW
New Arrival/ Adjustment Review / Earned Credit LevelExhibit 6
Page 1 of 1

Inmate Information

Facility	LCF	Facility Arrival Date	04/04/02	LARC Arrival date	03/15/02
Inmate Name	OLIVER, RALPH	Inmate DOC #	413607	Gender	M
Date of Assessment	12-08-03	Housing restrictions	N	Identification	Y
Name of Emergency Contact	LILIENI, OLIVER	Relationship	WIFE	Phone Number	907-677-1419
Address	8730 BLACKBERRY ST. ANCHORAGE, AK. 99502	Will I/M reside at this residence after re-entry?		YES	X No

Sentence Information

Special Conditions of Suspended sentence/Parole	85%/ 75%	N	57 O.S. 1991 Sec 521 eligible					
PPWP eligibility	Days Remaining							
Prior Convictions	Number of Prior Convictions		NONE					
Assessed security	MIN	Security Points	3	Assigned Security	MED	Mandatory Override?	YES	X NO
Misconduct History	Active Misconduct points		0	Date of last Misconduct	NONE			
Parole Date	2/2006	Parole Stipulations						
Parole Conditions								

Current Patterns of Behavior

Preformance rating = Poor, Good, Excellent, Outstanding

Staff OUTSTANDING Program Participation OUTSTANDING Job OUTSTANDING

Other Inmates OUTSTANDING Personal Hygiene OUTSTANDING Living Area OUTSTANDING

Program / Job Evaluations

Month/Year	Rating	Assignment
APRIL 03	49	D-SPACE
JUNE	30	D-SPACE
AUG	44	STUDENT

Case Plan

Initial	Needs	Plan of Action	Projected Enrollment	Restrictions/Comments
	TFAC	COMPLETE	WAITING LIST FOR TFAC	COMPLETED GED AND LIFE SKILLS
Updated Plan		Plan of Action	Projected Enrollment	Restrictions/Comments

Warden/District Supervisor or designee approval

Pre- Release

Needs Referral Name Address Phone number Appointment time

Earned Credit level
Level Eligible 4 Effective Date 1-1-03 Promotion Demotion No Change XXX EnhancedPrepared by B. Daugler Date 12-12-03Chairperson R. Williamson Date 12-12-03Member S. B. Date 12-12-03

Date of Next Review 04-08-04 Comments MIN. ELIG. 5-25-12 INMATE HAS 2 (15) YR CS CASES

Inmate Signature R. Williamson

Exhibit 2

Date Printed: 04 SEP 2008

Oklahoma Department of Corrections

Time Sheet

For the Month of : August 31, 2008

Exhibit 7
Page 1 of 1

Current Days Remaining Report for: 413607 OLIVER, RALPH

Case Supervisor: SMITH, TERRI

Housing Unit: JHCC-A-1-118-TOP

CRF # 2001-1429 Counts: 1

Effective date	Time Served	Earned	Lost	Other	Month Net	Days Remaining
31 JUL 2008						111
31 AUG 2008	31	44	0	0	75	36

Comments:

OMS0025M

Name
OLIVER, RALPHJail Time
377Exhibit 8
Page 1 of 3DOC Number
413607Date Received
03/15/2002

JAN				5479	
FEB			A,B:389	389	5090
MAR	17			17	5073
APR	30	C)20		50	5023
MAY	31	22		53	4970
JUN	30	22		52	4918
JUL	31	22		53	4865
AUG	31	22	E 90	743	4722
SEP	30	D)33		63	4659
OCT	31	33	F 15	79	4580
NOV	30	33		63	4517
DEC	31	33		64	4453
A: L4 11/11/03					
JAN	31	A)44		75	4378
FEB	28	44		72	4366
MAR	31	44		75	4231
APR	30	44		74	4137
MAY	31	44		75	4082
JUN	30	44		74	4008
JUL	31	44		75	3933
AUG	31	44		75	3858
SEP	30	44		74	3784
OCT	31	44		75	3709
NOV	30	44		74	3635
DEC	31	44		75	3560
2004					
JAN	31	44		75	3485
FEB	29	44		73	3412
MAR	31	44		75	3337
APR	30	44		74	3263
MAY	31	44		75	3168
JUN	30	44		74	3114
JUL	31	44		75	3039
AUG	31	44		75	2964
SEP	30	44		74	2890
OCT	31	A) 37		68	2822
NOV	30	0	C) 120	907	2912
DEC	31	0	D) 120	897	3001
CD					
A) L1 10/27/04 RH4					
B) L1 11/11/04 RH4					
C) L1 MR 10/29/04-120 EC					
D) L1 MR 12/2/04-120 EC					
2005					
DMR					
JAN	31	0		31	2970
FEB	28	0		28	2942
MAR	31			31	2911
APR	30			30	2881
MAY	31	A)22		53	2828
JUN	30	B)33		63	2765
JUL	31	33		64	2701
AUG	31	C)44		75	2626
SEP	30	44		74	2552
OCT	31	44		75	2477
NOV	30	44		74	2403
DEC	31	44		75	2328
TOTAL					
A) L2, 5-1-05					
B) L3, 6-1-05					
C) L4, 8-1-05					

X
DOC NUMBER 413607 LAST NAME Oliver

YEAR	TIME SERVED	EARNS	LOST	OTHER	MONTH NET	REMAINING
06					2328	L4,8-1-05
JAN	31	44			2328	A) Claim HSD. not elig. for ACI PEL W. mouse for GED 7/102.
FEB	28	44			2271	
MAR	31	44			2196	
APR	30	44			2122	
MAY	31	44			2047	
JUNE	30	44			1973	
JUL	31	44			1898	
AUG	31	44			1823	
SEP	30	44			1749	
OCT	31	44			1674	
NOV	30	44			1600	
DEC	31	44			1525	

YEAR	TIME SERVED	EARNS	LOST	OTHER	MONTH NET	REMAINING
07						
JAN	31	44			75	1450
FEB	28	44			72	1378
MAR	31	44			75	1303
APR	30	44			74	1229
MAY	31	44			75	1154
JUNE	30	44			74	1080
JUL	31	44			75	1005
AUG	31	44			75	930
SEP	30	44			74	856
OCT	31	44			75	781
NOV	30	44			74	707
DEC	31	44			75	632

FIRST NAME Ralph MIDDLE INITIAL _____

YEAR	TIME SERVED	EARNS	LOST	OTHER	MONTH NET	REMAINING
08						
JAN	31	44			75	557
FEB	29	44			73	484
MAR	31	44			75	409
APR	30	44			74	335
MAY	31	44			75	260
JUNE	30	44			74	186
JUL	31	44			75	111
AUG	31	44			75	36
SEP	14	22			36	0
OCT	31				2679	2679
NOV	30				30	2649
DEC	31				31	2618

YEAR	TIME SERVED	EARNS	LOST	OTHER	MONTH NET	REMAINING
09						
JAN	31				31	2587
FEB	28				28	2559
MAR	31				31	2528
APR	30				30	2498
MAY	31				31	2467
JUNE	30				30	2437
JUL	31				31	2406
AUG	31				31	2375
SEP	30				30	2345
OCT	31				31	2314
NOV	30				30	2284
DEC	31				31	2253

DOC NUMBER 413607 LAST NAME OLIVER

FIRST NAME Ralph

MIDDLE INITIAL

YEAR	TIME SERVED	EARNS	LOST	OTHER	MONTH NET	2053 REMAINING
10						
JAN	31				31	2222
FEB	28				28	2194
MAR	31				31	2163
APR	30				30	2133
MAY	31				31	2102
JUNE	30				30	2072
JUL	31				31	2041
AUG	31				31	2010
SEP	30				30	1980
OCT	31				31	1949
NOV	30				30	1919
DEC	31				31	1888

YEAR	TIME SERVED	EARNED	LOST	OTHER	MONTH NET	REMAINING
12						
JAN	31				31	1492
FEB	29				29	1463
MAR	31				31	1432
APR	30				30	1402
MAY	31				31	1371
JUNE	30				30	1341
JUL	31				31	1310
AUG	31				31	1279
SEP	30				30	1249
OCT	31				31	1218
NOV	30				30	1188
DEC						

YEAR	TIME SERVED	EARNS	LOST	OTHER	MONTH NET	REMAINING
15	31				31	1857
JAN	31				28	1829
FEB	28				31	1798
MAR	31				30	1768
APR	30				31	1737
MAY	31				30	1707
JUNE	30				31	1676
JUL	31				31	1645
AUG	31				30	1615
SEP	30				31	1584
OCT	31				30	1554
NOV	30				31	1523
DEC	31	1				

YEAR 13	TIME SERVED	EARNS	LOST	OTHER	MONTH NET	REMAINING
JAN						
FEB						
MAR						
APR						
MAY						
JUNE						
JUL						
AUG						
SEP						
OCT						
NOV						
DEC						

Exhibit 9
Page 1 of 1

MEMORANDUM

DATE:

TO: Oliver, Ralph, DOC# 413607
FROM: Ancilla Monden, Records

RE: TIME CALCULATION AUDIT

On 10/25/12 your file was audited and the following correction was made:

Credits were awarded/removed in the amount of 2710 days for the following reason(s):

The Tulsa County Court filed an "Information sheet" on CF 2001-1429 stating all three counts, crime occurred between the dates of 5-1-99 and 2-5-01. Therefore, I confirmed with Jim Rabon the Administrator of Sentence Admin. and Offender Records that the crimes fall under the 85% rule. Ct. 1 at 85% date is 12-1-2013.

For additional information refer to Department of Corrections' policies OP-060211, Sentence Administration, and OP-060213, Earned Credit Classes.

cc: Field File, Section 2
Jim Rabon

DO NOT PURGE

Ancilla Monden

From: Jim Rabon
Sent: Thursday, October 25, 2012 11:53 AM
To: Ancilla Monden
Subject: RE: Ralph Oliver 413607

When the information sheet charges someone with a crime that includes a range of dates we use the last date to determine whether or not they fall under the 85% rule. What is written on the CRC is incorrect. The state courts computer system, OSCN, has an entry for "Date of Offense". However, only one date can be seen, so when there is a range of dates, you can only find that out by the Information Sheet. Review the J&S to determine if it refers to him only being convicted for crimes on a specific date. I doubt that there is such information on the J&S. Next, check with the county to see if the original Information Sheet was ever amended. If it was we need a copy to see if they changed the dates they allege the crimes occurred. I looked at OSCN and it does not appear the information sheet was ever amended. However, OSCN is not always reliable which is why the court clerk needs to be contacted. If you cannot find that he was only convicted for crimes that occurred prior to March 1, 2000, then these counts are to be under the 85% rule.

Jim Rabon, Administrator
 Sentence Administration and Offender Records Unit
 Oklahoma Department of Corrections
 3400 M. L. King Ave., PO Box 11400
 Oklahoma City, OK 73136-0400
 Phone: 405-425-2615
 Cell: 405-590-1181
 FAX: 405-425-2608

From: Ancilla Monden
Sent: Thursday, October 25, 2012 10:49 AM
To: Jim Rabon
Subject: Ralph Oliver 413607

Jim,
 I have a note written in Pencil on a CRC saying, "not 85% due to date of crime 1999". Just want to make sure of this.
 I have an Original Information sheet that reads for all three counts, "between 05-01-99 and 02-05-01, did commit the crime of sexually abusing a minor child.
 So if the crime was committed during a time frame like this and started before the 85% rule date (3/2000) would he not be serving 85%?

Thanks

Ancilla Monden, Records Officer
 Joseph Harp Correctional Center
 16161 Moffat Rd
 P.O. Box 548
 Lexington, OK. 73051
 Phone: 405-527-5593 ext. 3435.
 Fax: 405-527-4887

Exhibit 11

Page 1 of 1

STATE OF OKLAHOMA,
COUNTY OF TULSA,
THE STATE OF OKLAHOMA
vs.
RALPH OLIVER

IN THE DISTRICT COURT OF TULSA COUNTY, OKLAHOMA

CF 2001

1429

NO.

INFORMATION

10-7115

DISTRICT COURT
FILED
MAR 09 2001 (Plaintiff,
SALLY HOWE SMITH, COURT CLERK
STATE OF OKLA. TULSA COUNTY
Defendant.)

BE IT REMEMBERED:

That TIM HARRIS, the duly elected and qualified DISTRICT ATTORNEY FOR TULSA COUNTY, OKLAHOMA, who prosecutes in the name and by the authority of the STATE OF OKLAHOMA, comes now into the District Court of Tulsa County, State of Oklahoma, and gives the Court to understand and be informed that:

(Count 01)

RALPH OLIVER, between 05-01-99 and 02-05-01, in Tulsa County, State of Oklahoma and within the jurisdiction of this Court, did commit the crime of SEXUALLY ABUSING A MINOR CHILD, a felony, by unlawfully, feloniously, willfully, maliciously and intentionally, sexually abuse one DIANA SIALAIGA, a child under the age of 18, to-wit: 15 years of age, and did then and there sexually abuse said child by touching her buttocks and feelings her nipples. This incident occurred at 5107 E 45th St, Tulsa, Tulsa County, Oklahoma. While the chlid was under the care and custody of the defendant,

(Count 02)

RALPH OLIVER, between 05-01-99 and 02-27-01, in Tulsa County, State of Oklahoma and within the jurisdiction of this Court, did commit the crime of SEXUALLY ABUSING A MINOR CHILD, a felony, by unlawfully, feloniously, willfully, maliciously and intentionally, sexually abuse one MELISSA OLIVER, a child under the age of 18, to-wit: 14 years of age, and did then and there sexually abuse said child by touching her on her breasts and buttocks and touching her vagina with his hand and asking her to "suck his dick". This incident occurred at 5107 E 45th St, Tulsa, Tulsa County, Oklahoma. While the chlid was under the care and custody of the defendant;

(Count 03)

RALPH OLIVER, between 05-01-99 and 02-27-01, in Tulsa County, State of Oklahoma and within the jurisdiction of this Court, did commit the crime of SEXUALLY ABUSING A MINOR CHILD, a felony, by unlawfully, feloniously, willfully, maliciously and intentionally, sexually abuse one JOAN OLIVER, a child under the age of 18, to-wit: 10 years of age, and did then and there sexually abuse said child by touching her nipples and asking her to put her mouth on his penis and touching her on her vaginal area. This incident occurred at 5107 E 45th St, Tulsa, Tulsa County, Oklahoma. While the chlid was under the care and custody of the defendant,

contrary to the form of the Statutes in such cases made and provided, and against the peace and dignity of the State.

TIM HARRIS, District Attorney

By Calvin Raynor

Assistant

Exhibit 11

Time Sheet

For the Month of : October 31, 2017

Exhibit 12
Page 1 of 1

urrent Days Remaining Report for: 413607 OLIVER, RALPH

ase Supervisor: JAMES, TISHA

ousing Unit: NFCC-UNIT E-POD NORTH-CELL 260-BED B01

RF #	2001-1429	Counts:	2				
Effective date		Time Served	Earned	Lost	Other	Month Net	Days Remaining
30 SEP 2017							4405
31 OCT 2017		31	0	0	0	31	4374
Comments: gcac							

TO: Records
(NAME AND TITLE OF OFFICER)

REQUEST TO STAFF

FACILITY/UNIT: JHCC/A-1DATE: 9-4-08I Have Have Not already submitted a "Request to Staff" or grievance on this same issue.

If yes, what date: _____ Facility: _____ Grievance#: _____

I affirm that I Do Do Not have a grievance pending on this issue.I affirm that I Do Do Not have a lawsuit of any type pending or planned that relates in any way to this issue. If lawsuit pending, indicate case number: _____This request does does not relate to a pending misconduct report. If it does, this request may only be answered by the investigator assigned to the misconduct.

SUBJECT: State completely, but briefly, the problem on which you desire assistance. This statement must be specific as to the complaint, dates, places, personnel involved, and how you were affected. Only one issue or incident is permitted per "Request to Staff." Your failure to specifically state your problem may result in this being returned unanswered.

My time sheet says 31 Aug 2008 that I have 36 days remaining, please tell me when my next count starts.

(USE OTHER SIDE IF MORE SPACE IS NEEDED)

ACTION REQUESTED: State exactly how you believe your request may be handled; that is, what exactly should be done and how.

Please tell me when my next count starts.
Thank you.

NAME: OLIVER, Ralph NUMBER: 413607 UNIT & CELL NUMBER: A-1-118
PRINT:

SIGNATURE: Ralph Oliver WORK ASSIGNMENT: ANOLY

DO NOT WRITE BELOW THIS LINE

DISPOSITION:

9-14-08.

Cathy Massy
STAFF MEMBER

9-11-08
DATE

Offender Grievance Process
REQUEST TO STAFFExhibit 14
page 1 of 1TO: Records/Ancilla Monden
(NAME AND TITLE OF STAFF MEMBER)FACILITY/UNIT: J.H.CC/E-1 DATE: 11-30-12I have have not already submitted a "Request to Staff" or grievance on this same issue.

If yes, what date: _____ facility: _____ grievance #: _____

I affirm that I do do not have a grievance pending on this issue.I affirm that I do do not have a lawsuit of any type pending that relates in any way to this issue.

If a lawsuit is pending, indicate case number: _____

This request does does not relate to a pending misconduct report. If it does, this request may only be answered by the investigator assigned to the misconduct.**SUBJECT:** State completely, but briefly, the problem on which you desire assistance. This statement must be specific as to the complaint, dates, places, personnel involved, and how you were affected. One issue or incident per "Request to Staff." Your failure to specifically state your problem may result in this being returned unanswered.

Please there is a misunderstanding, your info sheet on CF 2001-1429 is dated 3-9-2001, is not a 3rd S, and was written 11 months before my conviction, my jury trial was 1-7-2002 - 1-14-2002, and my sentencing was 2-27-2002, date of offense 5-1-1999, statute 109.S.7115, One - Third (Crimes Committed on or after July, 1998) 570.5.322.7B. Please confirm and restore my credits and 1/3% please, thank you.

(USE OTHER SIDE IF MORE SPACE IS NEEDED. DO NOT ATTACH ADDITIONAL PAGES.)

ACTION REQUESTED: State exactly how you believe your request may be handled; that is, what exactly should be done and how.

Please confirm my Judgment and sentence and restore my credits, 1/3% and please send me a copy, please. Thank you.

NAME: Oliver, Ralph (PRINT) DOC NUMBER: 413607 UNIT & CELL NUMBER: E-1-206SIGNATURE: Ralph Oliver WORK ASSIGNMENT: E-1/BRASS

DO NOT WRITE BELOW THIS LINE

DISPOSITION:

As you were told by Records office Monden your Information sheet states your crimes on Count 1 of your cover were committed between 5-1-99 and 2-5-01. Counts 2 and 3 were committed between 5-1-99 and 2-27-01 per statute. These crimes are 85% crime because they were committed after 3-1-2000. I am sending your information sheet and the request from Records Administration to Mr. Robson, concerning

STAFF MEMBER the validity of using the DATE

1. Original to file
2. Copy to offender

85% statute. This will be the final correspondence from the Records office. The Request for Staff DOC 090124D (R 9/09) in regards to this will be considered closed. The Request for Staff DOC 090124D (R 9/09) in regards to this will be considered closed.

NORTH FORK CORRECTIONAL CENTER
RECEIVED

Exhibit 15
Page 1 of 2

NORTH FORK CORRECTIONAL CENTER
RECEIVED

Must Be Submitted Through the Law Library or Designee
LAW LIBRARY Inmate/Offender Grievance Process
REQUEST TO STAFF

TO: Inmate Record Officer FACILITY/DIST/UNIT: NECC DATE: 7-19-17
(NAME AND TITLE OF STAFF MEMBER)

I have have not already submitted a "Request to Staff" or grievance on this same issue.

If yes, what date: 7/17 facility: WIA grievance #: WIA

I affirm that I do do not have a grievance pending on this issue.

I affirm that I do do not have a lawsuit of any type pending that relates in any way to this issue.

If a lawsuit is pending, indicate case number and court: CR 1A

This request _____ does _____ does not relate to a pending misconduct report. If it does, this request may only be answered by the disciplinary coordinator assigned to the misconduct.

Request may only be answered by the disciplinary coordinator assigned to the misconduct.

SUBJECT: State completely, but briefly, the problem on which you desire assistance. This statement must be specific as to the complaint, dates, places, personnel involved, and how you were affected. One issue or incident per "Request to Staff." Your failure to specifically state your problem may result in this being returned unanswered.

MY CASE, CASE NO. CF-2001-1429, IN WHICH ITS COMMENCEMENT OCCURRED 5-1-1999 IS NOT AN 85% CASE.
YOUR OFFICE REMISSION OF ALL MY STATUTORY EARNED CREDITS DURING CHANGING OF MY REBIL DATE TO
HAVE ME COMPLETE 85% OF CASE NO. CF-2001-1429 IS INCORRECT. THE 85% LAW OF THE
21 O.S.R. § 12.1 AND 13.1 DID NOT TAKE EFFECT UNTIL 3-15-2000, THEREFORE YOUR ASSESSMENT
(USE OTHER SIDE IF MORE SPACE IS NEEDED. DO NOT ATTACH ADDITIONAL PAGES.) (OTHER SIDE)

ACTION REQUESTED: State exactly how you believe your request may be handled; that is, what exactly should be done and how. *(111-111-111-111)*

should be done and how. RECREDIT ALL MY STATUTORY EARNED CREDIT DAYS PROPERLY
by ~~your~~ YOUR OFFICE REAUDITING/READJUSTING MY TEAMS.

NAME: Oliver, Ralph DOC NUMBER: 413607 UNIT & CELL NUMBER: EN-260

SIGNATURE: *Rosal Oli* (RIN 1) WORK ASSIGNMENT: *NA*

DO NOT WRITE BELOW THIS LINE

DISPOSITION:

This was addressed on 12-10-12. Nothing has changed,
you are 85%. RETA

80 demand

STAFF MEMBER

DATE

7-24-19

~~RETURNED~~
JUL 25 2017
~~LAW LIBRARY~~

Date response sent to inmate:

1. Original to file

Exhibit 2

Exhibit 15

Page 2 of 2

that my term was an 85% crime is incorrect. Your office
needs to REaudit my case, REcrediting all my statutory EARNED CREDITS
days properly.

Exhibit 16
Page 1 of 2

INMATE/OFFENDER GRIEVANCE

Grievance no. _____

Grievance code: _____

Response due: _____

DO NOT WRITE ABOVE THIS LINEDate 7-31-2017

Facility or District

NFCCName Ralph Oliver

Facility Housing Unit

EN-260(Print)
ODOC Number 413 607Date "Request to Staff" response received: 7/25/17

Have you previously submitted a grievance on this same issue? V If yes, what date 3-23-2016, facility CCP, grievance # 16-089. You must submit this completed original within 15 days of the receipt of the response to the "Request to Staff". The "Request to Staff" must have been submitted within 7 days of the incident. Do not include/attach anything to this grievance except the "Request to Staff" including the response. You may quote from or make reference to statutes, operations, field, or administrative memoranda, department publications (time sheets, inventory forms, assessments, etc.). You will be permitted only one opportunity to correct any error(s) made in submitting your grievance.

1. The nature of your complaint. This statement must be specific as to the complaint, dates, places, personnel involved, and how you were affected. One issue or incident per grievance. Use backside of this page only, if necessary. On 7/19/17 sent a RTS to Inmate Records Officer. In regards to the improper assessment of my case, I explained to the Records that the events alleged occurred 5/1/99, although I was tried and convicted in 2001. That my case is not 85% case and records removal of all my statutory credits was incorrect.
2. Informal action taken (including dates) to resolve the complaint, as well as the names of those employees from whom you sought an answer to your grievance. Inmate Records Officer 7/19/17 requesting the return of my statutory earned credits for my case is not 85% case. 7/24/17 Records denied request for relief
3. The action you believe the reviewing authority may lawfully take. Return all statutory earned credits for my case is not 85%

Grievance report sent to (warden/district supervisor/correctional health services administrator):

Name Jimmy MartinTitle WardenSignature of Grievant Ralph Oliver

Date Sent to Reviewing Authority

1. Original to file
2. Copy to inmate/offender

DOC 090124A (R 7/16)

Exhibit 2

Exhibit 16
Page 2 of 2

The 85% did not start until March 15, 2000 and Records improperly
ASSESSMENT of my 5/1/99 case is NOT under 85% rule. Failure to
CORRECT this error will cause me to be held past my correct
discharge date if not adjusted or corrected. See Spandling v
Maynard 527 F. Supp 398 (1981)

Misconduct/Grievance Appeal To Administrative Review AuthorityInmate Name: Ralph OliverDOC Number: 4136 07Facility Where Offense/Grievance Occurred: N F C COffense Code: N/ADate of misconduct violation: N/A Facility Misconduct Appeal Number N/A Facility Grievance Appeal Number 17-141I received the response of the reviewing authority at the facility on: 8/14/17

Fill out this form in blue or black ink. Writing must be legible. I wish to appeal the reviewing authority's response to the misconduct/grievance on the following ground(s) only. DO NOT ATTACH ANY OTHER PAGES. (Use ONLY the back side of this page, if necessary). Your appeal will be returned to you unanswered if any other pages are submitted.

Newly discovered/available evidence not considered by the reviewing authority, relevant to the issue, necessary for a proper decision, and why the evidence was not previously available which if considered may alter the decision (you must clearly state the newly discovered/available evidence); or

Probable error committed by the reviewing authority in the decision such as would be grounds for reversal (you must clearly state the error committed by the reviewing authority, including citing the part of procedures or statutes not followed by the reviewing authority).

Response:

The error committed here is that the crime committment alleged to have occurred was 5/1/89 which was not classed by Legislative Law as 85% That at first the Record Officer classed the crime as being 100% 85% and several months later classed it as an 85% case and removed all statutory earned credits assessed for the reduction. I had challenged the removal of all earned credit and the new classification as being 85%. The error here (over)

I understand that in accordance with OP-060125/OP-090124, I will be charged \$2 to appeal a misconduct/grievance to the Administrative Review Authority or Chief Medical Officer, and that this form is also a request for disbursement of funds from my trust fund draw account. If I do not have enough funds to cover this cost, the amount will be collected as soon as funds become available.

Ralph Oliver

Signature of Inmate

8-16-17

Date

DOC 060125V (R 4/17)

Exhibit 17
page 2 of 2

is that NFCI record officer's refusal and Facility Reviewing Authority failed consider the law at issue on 5/1/99 rendered case # 8590 which entitled me to Class Level credits reduction. That the current denial of Statutory credits owed prolongs my incarceration detention wrongfully and if not correct would hold me past release date due the improper assessment of days.

Therefore, NFCI's refusal to correct the improper assessment and calculation is an incorrect assessment under Statutory Law and ODOC Policy and procedure. The denial should be reversed and my time calculation be corrected to reflect the reduction of days earned each month.

JOE M. ALLBAUGH
DIRECTORMARY FALLIN
GOVERNOR

STATE OF OKLAHOMA
OKLAHOMA DEPARTMENT OF CORRECTIONS
ADMINISTRATIVE REVIEW AUTHORITY

NFCC 17-141

Date: SEPTEMBER 5, 2017
 To: OLIVER, RALPH #413607
 Location: NFCC
 From: Mark Knutson, Director's Designee *Mark Knutson*

Your grievance/correspondence was filed improperly for the following reason(s):

- 1. No facility head response to the grievance
- 2. No informal action, "Request to Staff" response
- 3. Out of time from date of alleged incident until filing request to staff.
- 4. Out of time from date of response to request to staff until filing the grievance with facility head.
- 5. Received out of time from date of facility head response
- 6. You cannot appeal a non-response. See OP-090125 section IV.C.11 or V.C.4.
- 7. Inmate on grievance restriction and/or proper documentation not included.
- 8. Must be legibly written in blue or black ink. No pencil or other color of ink is allowed. No doodling or writing in margins.
- 9. Attachments to the grievance/appeal (no additional pages allowed except affidavit if required)
- 10. Not an issue grievable to Oklahoma Department of Corrections (Private prison property, misconduct, litigation pending, not within/under the authority/control of the Department of Corrections, etc.)
- 11. More than 1 issue - only 1 issue allowed per grievance/Request to Staff
- 12. Not of a sensitive/emergency nature. You must follow the standard grievance process including giving the facility an opportunity to respond.
- 13. Requests for disciplinary action against staff will not be addressed in the grievance process.
- 14. Appeal form not signed/dated.
- 15. Grievances shall not be submitted requesting monetary compensation.
- 16. The ruling of the Administrative Review Authority or Director's Designee is final.
- 17. Facility grievance number not listed on the appeal form.
- 18. Additional issues submitted in the grievance appeal and not presented in the initial grievance to the facility head for response, will not be addressed by this office.
- 19. You have failed to follow previous instructions from the reviewing authority or ARA for filing this grievance and/or properly resubmit. **YOU ARE NOW OUT OF TIME TO PROPERLY FILE YOUR GRIEVANCE.**
- 20. You did not provide the date that you received the reviewing authority's response on the appeal form.
- 21. This grievance is unanswerable as there are no time frames specified for the alleged action(s) to have occurred
- 22. You failed to identify your grounds for an appeal by checking one, or both boxes on the appeal form.
- 23. Your appeal must be written on the Misconduct/Grievance Appeal form (DOC060125V effective 11/15).
- 24. You will be afforded **ONE FINAL** opportunity to properly resubmit your corrected grievance appeal which must be received in ARA within ten (10) days of receipt of this form. **DO NOT RETURN THIS FORM WITH YOUR CORRECTED APPEAL.**
- 25. Other: **YOU EXHAUSTED YOUR ADMINISTRATIVE REMEDIES CONCERNING THIS ISSUE ON 4/18/16. DO NOT RESUBMIT.**

THIS OFFICE WILL NOT PROCESS INCOMPLETE/INACCURATE/OUTDATED APPEAL FORMS
 NOTE: Abuse of the grievance process as explained in section IX of OP-090124, will result in restrictions being imposed.

I acknowledge receipt of this response: *R. Oliver* 9-8-17
 Inmate's signature and date

P.O. BOX 11400
 OKLAHOMA CITY, OK. 73136-0400

NORTH FORK CORRECTIONAL CENTER
RECEIVED

EXHIBIT 19

NORTH FORK CORRECTIONAL CENTER

RECEIVED

Must Be Submit Page 1 of 2 Law Library or Designee

FEB 07 2020

Inmate/Offender Grievance Process

REQUEST TO STAFF

RECORDS

DATE: 2-5-2020

LAW LIBRARY

(NAME AND TITLE OF STAFF MEMBER)

I have have not already submitted a "Request to Staff" or grievance on this same issue.

If yes, what date: _____ facility: _____ grievance #: _____

I affirm that I do do not have a grievance pending on this issue.I affirm that I do do not have a lawsuit of any type pending that relates in any way to this issue.

If a lawsuit is pending, indicate case number and court: _____

This request does does not relate to a pending misconduct report. If it does, this request may only be answered by the disciplinary coordinator assigned to the misconduct.

SUBJECT: State completely, but briefly, the problem on which you desire assistance. This statement must be specific as to the complaint, dates, places, personnel involved, and how you were affected. One issue or incident per "Request to Staff." Your failure to specifically state your problem may result in this being returned unanswered.

On 1-31-2020, I received, from the Tulsa County District Court a stamped certified copy of the "disposition information" which includes the "Date of offense" pursuant to 22 O.S. § 977 A.4. This stamped certified copy of the "disposition information" shows specifically the (over)
(USE OTHER SIDE IF MORE SPACE IS NEEDED. DO NOT ATTACH ADDITIONAL PAGES.)

ACTION REQUESTED: State exactly how you believe your request may be handled; that is, what exactly should be done and how.

Contact the Tulsa County District Court office (either Kristy Tournet) to receive your own copy of the "disposition information" as required by law (57 O.S. § 37). Change my Date of Offense to the correct date, of 5-1-1999, so my (over)

NAME: Ralph Oliver DOC NUMBER: 413607 UNIT & CELL NUMBER: EN-160
(PRINT)

SIGNATURE: Ralph Oliver WORK ASSIGNMENT: 44 ORDERLY

DO NOT WRITE BELOW THIS LINE

DISPOSITION:

We can only use information and dates on the judgement and sentence. The disposition of information is not dates we use.

CRD
STAFF MEMBER

DATE

2/7/2020

RETURNED

FEB 10 2020

Date response sent to inmate/offender: on 2-12-2020

1. Original to file
2. Copy to inmate/offender

DOC 090124D (R 4/19)

LAW LIBRARY

DOC 090124D (R 4/19)

Exhibit 2

Exhibit 19

Page 2 of 2

Date of offense as 5-1-1999. This is in conflict with what D.O.C. has recorded as my date of offense for my crimes. Therefore, my rights for earned credits, ~~and~~ parole hearings and release as stated in 57 O.S. § 138 are being denied. Pursuant to 57 O.S. § 37 it is D.O.C.'s responsibility to contact the District Court to verify information if there is "inaccurate information from the sentencing court."

- If you would like to view my Tulsa County District Court stamped certified copy ~~of the~~ (dated January 29, 2020) of the disposition information please call me down.

Action Requested (continued)

earned credits, Parole hearings and release will be returned and calculated correctly. Based on the Date of offense of 5-1-1999. (Pursuant to 57 O.S. § 138)

INMATE/OFFENDER GRIEVANCE

Exhibit 20
Page 1 of 2

Grievance no. _____

Grievance code: _____

Response due: _____

DO NOT WRITE ABOVE THIS LINEDate 2-18-2020

Facility or Unit

NACCName Ralph Oliver

Facility Housing Unit

EN-260DOC Number 413607Date "Request to Staff" response received: 2-12-2020

Have you previously submitted a grievance on this same issue? No. If yes, what date _____, facility _____, grievance # _____. You must submit this completed original within 15 days of the receipt of the response to the "Request to Staff". The "Request to Staff" must have been submitted within 7 days of the incident. Do not include/attach anything to this grievance except the "Request to Staff" including the response. You may quote from or make reference to statutes, operations, field, or administrative memoranda, department publications (time sheets, inventory forms, assessments, etc.). You will be permitted only one opportunity to correct any error(s) made in submitting your grievance.

1. The nature of your complaint. This statement must be specific as to the complaint, dates, places, personnel involved, and how you were affected. One issue or incident per grievance. Use backside of this page only, if necessary. On 2-5-2020, I submitted a 'Request to staff' (RTS) to the Records Dept. by way of the Law Library. The RTS basically stated that I had received information from the Tulsa County ~~secret~~ District Court that proves my 'date of offense' as 5-1-1999. This information is from a stamped certified docket sheet that lists the 'date of offense' (over)
2. Informal action taken (including dates) to resolve the complaint, as well as the names of those employees from whom you sought an answer to your grievance.

On 2-5-2020, I submitted a 'Request to staff' (RTS) to the Records Dept. (See attached)

3. The action you believe the reviewing authority may lawfully take. Contact the Tulsa County District Court to verify my 'date of offense' is 5-1-1999, as required by law 570.S.37. Change my date of offense to the correct date of 5-1-1999 in the D.O.C record system, so my Earned credits, Parole hearings and release dates will be returned and calculated correctly.

Grievance report sent to (warden/facility head/deputy director//correctional health services administrator):

Name Jimmy MartinWardenName Ralph OliverTitle 2-18-2020

Signature of Grievant

Date Sent to Reviewing Authority

DOC 090124A (R 4/19)

1. Original to file
2. Copy to inmate/offender

as 5-1-1999 and the crime committed as 10 O.S. § 7115. 10 O.S. § 7115 was effective on 5-1-1999, but not on 2-5-01 or 2-27-01. This 'date of offense' is in direct conflict with what D.O.C. has recorded. Subsequently, I am being denied Earned Credits, Parole hearings and being released in accordance with the law 57 O.S. § 138. In addition, the crime I was convicted under did not become a violent 85% crime as identified in 12 O.S. § 12.1 until after 3-1-2000, well after my correct 'date of offense' of 5-1-1999. Therefore, D.O.C. needs to confirm with the District Court as to what the correct 'date of offense' is. This is required by 57 O.S. § 37 which states in part if there is "inaccurate information from the sentencing court" D.O.C. needs to verify the information. "Inaccurate" would also include missing. My action Requested on the RTS simply requested that D.O.C. contact the Tulsa County District Court to confirm the 'date of offense' and then correct it in the system. On 2-2-2020, a staff member responded by stating, "We can only use information and dates on the Judgment and Sentence. The disposition of information is not dates we use." I received this response on 2-12-2020. The records department then needs to confirm the dates on my Judgment and Sentence (J+S). Because my J+S is silent on this issue, If the J+S is silent on the issue, as mine is, where does D.O.C. receive the information? Pursuant to the law D.O.C. needs to contact the Courts (57 O.S. § 37). D.O.C. cannot use the information from the District Attorney's Information sheet, as that is not determined by the jury/courts; it's only a suggested 'date of offense' (see 22 O.S. § 977). By D.O.C. randomly choosing a "date of offense", from a non-court document, lengthens my sentence by a substantial amount of time; denying me of ~~due~~ due process and is prohibited by the Constitution (USCA ~~XII~~ Art 1 § 9). This is similar to an ex-post facto violation (USCA Art 1 § 9). Pursuant to 22 O.S. § 1514(6) D.O.C.'s mission is to . . . keep accurate records.

Exhibit 21
Page 1 of 1

INMATE/OFFENDER GRIEVANCE

Grievance no. _____

Grievance code: _____

Response due: _____

DO NOT WRITE ABOVE THIS LINEDate 3-23-2020Facility or District NFC CName Ralph OliverFacility Housing Unit EN-260ODOC Number 413607Date "Request to Staff" response received: N/A

Have you previously submitted a grievance on this same issue? No. If yes, what date _____, facility _____, grievance # _____. You must submit this completed original within 15 days of the receipt of the response to the "Request to Staff". The "Request to Staff" must have been submitted within 7 days of the incident. Do not include/attach anything to this grievance except the "Request to Staff" including the response. You may quote from or make reference to statutes, operations, field, or administrative memoranda, department publications (time sheets, inventory forms, assessments, etc.). You will be permitted only one opportunity to correct any error(s) made in submitting your grievance.

1. The nature of your complaint. This statement must be specific as to the complaint, dates, places, personnel involved, and how you were affected. One issue or incident per grievance. Use backside of this page only, if necessary. On 2-18-2020, At 9:00 am, I, Ralph Oliver submitted an inmate/offender Grievance form to Jimmy Martin, the Warden at NFC C, by way of Paula Bethea, the law library supervisor. As of the date of this inmate/offender Grievance I have not received a response.
2. Informal action taken (including dates) to resolve the complaint, as well as the names of those employees from whom you sought an answer to your grievance.

On 2-18-2020, I submitted an inmate/offender Grievance form to Warden Jimmy Martin. See Attached

3. The action you believe the reviewing authority may lawfully take.

Please have Warden Jimmy Martin respond to my inmate/offender Grievance.

Grievance report sent to (warden/district supervisor/correctional health services administrator):

Mark KnudsonARA Designee

Name

Ralph Oliver

Title

3-23-2020

Signature of Grievant

Date Sent to Reviewing Authority

DOC 090124A (R 7/16)

1. Original to file
2. Copy to inmate/offender

Exhibit 2

NORTH FORK CORRECTIONAL CENTER
RECEIVEDExhibit 22
Must Be Submit Page 1 of 2 Law Library or Designee MAR 16 2020
Inmate/Offender Grievance Process
REQUEST TO STAFF

MAR 11 2020

TO: Records Dept.

(NAME AND TITLE OF STAFF MEMBER)

FACILITY/UNIT: NECCDATE: 3-11-2020

RECORDS

I have have not ✓ already submitted a "Request to Staff" or grievance on this same issue.If yes, what date: facility: grievance #: I affirm that I do do not ✓ have a grievance pending on this issue.I affirm that I do do not ✓ have a lawsuit of any type pending that relates in any way to this issue.If a lawsuit is pending, indicate case number and court: This request does ✓ does not relate to a pending misconduct report. If it does, this request may only be answered by the disciplinary coordinator assigned to the misconduct.**SUBJECT:** State completely, but briefly, the problem on which you desire assistance. This statement must be specific as to the complaint, dates, places; personnel involved, and how you were affected. One issue or incident per "Request to Staff." Your failure to specifically state your problem may result in this being returned unanswered.I need a copy of the "Reception Information" form dated March 15, 2002; time stamped at 10:19 am; form no. 0MS0002D.I also need a copy of the "Commitment order" ^{"D.O."} created on the computer. Pursuant to DOC OP-060 212 XIII C (Giver)

(USE OTHER SIDE IF MORE SPACE IS NEEDED. DO NOT ATTACH ADDITIONAL PAGES.)

ACTION REQUESTED: State exactly how you believe your request may be handled; that is, what exactly should be done and how.Please notify me as to how I go about requesting and paying for these documents. (To whom do I make the disbursement order payable to; and to whom do I submit give the disbursement order to?)NAME: Ralph Oliver (PRINT) DOC NUMBER: 413607 UNIT & CELL NUMBER: EN-260SIGNATURE: Ralph Oliver WORK ASSIGNMENT: unassigned

DO NOT WRITE BELOW THIS LINE

DISPOSITION:Your commitment information is all from your J35 you must request from the county. I do not know what the "Reception Information" form is that you requested. Get a policy number.CD Ferguson

STAFF MEMBER

DATE

3/16/20

APR 02 2020

LAW LIBRARY ADV

Date response sent to inmate/offender: _____

1. Original to file
2. Copy to inmate/offender

Exhibit 2

Exhibit 22
Page 2 of 2

I am allowed copies for 25¢ a page.

Exhibit 23
Page 1 of 1

ARIA 20-214

NFCCE
NORTH FORT CREEK CORRECTIONAL CENTER
RECEIVED

JUN 24 2020

LAW LIBRARY

REQUEST TO STAFF

TO: Scott Crow/Director D.O.C. FACILITY/UNIT: NFCCDATE: 6-24-2020

(NAME AND TITLE OF STAFF MEMBER)

I have have not ✓ already submitted a "Request to Staff" or grievance on this same issue.If yes, what date: facility: grievance #: I affirm that I do do not ✓ have a grievance pending on this issue.I affirm that I do do not ✓ have a lawsuit of any type pending that relates in any way to this issue.If a lawsuit is pending, indicate case number and court: This request does ✓ does not relate to a pending misconduct report. If it does, this request may only be answered by the disciplinary coordinator assigned to the misconduct.

SUBJECT: State completely, but briefly, the problem on which you desire assistance. This statement must be specific as to the complaint, dates, places; personnel involved, and how you were affected. One issue or incident per "Request to Staff." Your failure to specifically state your problem may result in this being returned unanswered.

On 3-23-2020, at 8:11am, I put an inmate/offender grievance (DOC090124A) form, along with supporting documents in the prison mail box; addressed to the ARA Designee, Mark Knutson, P.O. Box 11400, Oklahoma City, OK 73126. Several colleagues witnessed me depositing this letter.
 (USE OTHER SIDE IF MORE SPACE IS NEEDED. DO NOT ATTACH ADDITIONAL PAGES.) (over)

ACTION REQUESTED: State exactly how you believe your request may be handled; that is, what exactly should be done and how.

Answer my inmate/offender grievance form dated

3-23-2020.

NAME: Ralph Oliver (PRINT) DOC NUMBER: 413607 UNIT & CELL NUMBER: EN-260

SIGNATURE: Ralph Oliver WORK ASSIGNMENT: Unassigned

DO NOT WRITE BELOW THIS LINE

DISPOSITION:

See the addendum

RECEIVED

STAFF MEMBER

DATE

6/26/20

JUN 26 2020
ADMINISTRATIVE
REVIEW
AUTHORITY

Date response sent to Inmate/offender: _____

1. Original to file
2. Copy to Inmate/offender

DOC 000124D/P 1401

SCOTT CROW
DIRECTORExhibit 24
Page 1 of 1J. KEVIN STITT
GOVERNOR

STATE OF OKLAHOMA
OKLAHOMA DEPARTMENT OF CORRECTIONS
ADMINISTRATIVE REVIEW AUTHORITY

ARA 20-214

Date: JUNE 26, 2020
 To: OLIVER, RALPH #413607
 Location: NFCC
 From: Mark Knutson, Director's Designee *Mark Knutson*

Your grievance/correspondence was filed improperly for the following reason(s):

	1. No reviewing authority response to the grievance.
	2. No informal action, Request to Staff response included.
	3. Out of time from date of alleged incident until filing Request to Staff.
	4. Out of time from date of response to Request to Staff until filing the grievance with the reviewing authority.
	5. Received out of time from date of the reviewing authority's response.
	6. You cannot appeal a non-response. See OP-090124 section V.B.1.b.(8) (Request to Staff) or VI.C.4. (grievance).
	7. Inmate on grievance restriction and/or proper documentation not included. See OP-090124, section X.B.2.a.
	8. Must be legibly written in blue or black ink. No pencil or other color of ink is allowed. No doodling or writing in margins.
	9. Attachments to the grievance/appeal (no additional pages allowed except affidavit if required).
	10. Not an issue grievable to Oklahoma Department of Corrections (Private prison property, misconduct, litigation pending, not within/under the authority/control of the Department of Corrections)
	11. More than one issue or the complaint and relief requested are not consistent on the Request to Staff and grievance.
	12. Not of a sensitive nature. You must follow the standard grievance process including giving the reviewing authority an opportunity to respond. Emergency grievances must be submitted to the reviewing authority. See OP-090124, section IX.A.
	13. Requests for disciplinary action against staff or monetary compensation will not be addressed in the grievance process.
	14. Appeal form not signed/dated.
	15. The ruling of the Administrative Review Authority or Director's Designee is final.
	16. Facility grievance number not listed on the appeal form.
	17. Additional issues submitted in the grievance appeal and not presented in the initial grievance to the reviewing authority for response will not be addressed by this office.
	18. You have failed to follow previous instructions from the reviewing authority or ARA for filing this grievance/appeal and/or properly resubmit. YOU ARE NOW OUT OF TIME.
	19. You did not provide the date that you received the reviewing authority's response on the appeal form.
	20. This grievance is unanswerable as there are no time frames specified for the alleged action(s) to have occurred
	21. You failed to identify your grounds for an appeal by checking one, or both boxes on the appeal form.
	22. Your appeal must be written on the Misconduct/Grievance Appeal form (DOC060125V effective 4/19).
	23. You will be afforded ONE FINAL opportunity to properly resubmit your corrected grievance or appeal which must be received in ARA within ten (10) days of receipt of this form. DO NOT RETURN THIS FORM WITH YOUR CORRECTED APPEAL.
X	24. Other: RE: REQUEST TO STAFF. THIS OFFICE HAS NO RECORD OF RECEIVING ANY CORRESPONDENCE FROM YOU. INCIDENTALLY, YOU ARE OUT OF TIME TO ADDRESS THE ISSUE OF A NON-RESPONSE REGARDING A GRIEVANCE SUBMITTED IN FEBRUARY.

I acknowledge receipt of this response: _____

Inmate's signature and date

In Re:

SWORN AFFIDAVIT

Exhibit 25
Page 1 of 2

State of Oklahoma)
) ss.
County of Beckham)

I, Ralph Oliver, whom resides at Unit EN - 260, North Fork Correctional Center, 1605

East Main Street, Sayre, Oklahoma 73662, make this Sworn Statement under penalty of perjury:

1. That I am a resident of the State of Oklahoma and I am over the age of eighteen (18) years and am qualified to make this statement.
2. That I have personal knowledge of the facts set forth in this Affidavit.
3. I state under penalty of perjury under the laws of the State of Oklahoma Title 12 O.S. 2002 § 426 that the statements contained herein are true and correct.
4. I sent a “Request to Staff,” dated 2-5-20, to the Record Dept. This “Request to Staff” basically stated that DOC needed to update their sentencing records from the Tulsa County District Office.
5. I sent an “Inmate / Offender Grievance Form,” dated 2-18-20, to the NFCC Warden. This Inmate / Offender Grievance Form basically stated that DOC needed to update their sentencing records from the Tulsa County District Office.
6. I sent an “Inmate / Offender Grievance Form,” dated 3-23-20, addressed to the ARA in Oklahoma City, PO. Box 11400. This Inmate / Offender Grievance Form basically stated that it had been over 30 days and the Warden had not answered the Inmate / Offender Grievance Form of 2-18-20.
7. In the latter part of 2019, I spoke with my case manager about my sentencing. She allowed me to hand copy the information displayed on her computer. As indicated in Exhibit 30, I

hand copied computer form number OMS0002D from the DOC computer
recorded keeping application.

Exhibit 25
Page 2 of 2

Dated this: 9-9-2020.

/s/ Rosal Davis
Signature

Subscribed and Sworn to before me this 9 day of September 2020

Reba B. Befte

NOTORY PUBLIC

My Commission Expires: 9-28-2024

My Commission Number is: 12009205



In Re:

SWORN AFFIDAVIT

Exhibit 26
Page 1 of 2

State of Oklahoma)
) ss.
County of Beckham)

I, Kent Savage, #646862, whom resides at Unit EN -170, North Fork Correctional Center (NFCC), 1605 East Main Street, Sayre, Oklahoma 73662, makes this Sworn Statement under penalty of perjury:

1. That I am a resident of the State of Oklahoma and I am over the age of eighteen (18) years and am qualified to make this statement.
2. That I have personal knowledge of the facts set forth in this Affidavit.
3. I state under penalty of perjury under the laws of the State of Oklahoma Title 12 O.S. 2002 § 426 that the statements contained herein are true and correct.
4. I assisted Ralph Oliver, in preparing his “Request to Staff,” dated 2-5-20. This Request to Staff basically stated that DOC needed to update their sentencing records from the Tulsa County District Office.
5. I assisted Ralph Oliver, in preparing his “Inmate / Offender Grievance Form,” dated 2-18-20, to the NFCC Warden and witnessed him hand it to the Law Library Supervisor on 2-18-20. This Inmate / Offender Grievance Form basically stated that DOC needed to update their sentencing records from the Tulsa County District Office.
6. I assisted Ralph Oliver, in preparing his “Inmate / Offender Grievance Form,” dated 3-23-20, addressed to the ARA in Oklahoma City, PO. Box 11400. I also witnessed him deposit the same into the Prison Unit Mailbox. This Inmate / Offender Grievance Form basically stated that it had been over 30 days and the Warden had not answered the Inmate / Offender Grievance Form of 2-18-20.

Exhibit 26
Page 2 of 2

7. I have had three (3) separate "Inmate / Offender Grievance Forms" from three different issues sent to the NFCC warden that have not been answered dated, 12-18-19 (resubmitted 3-4-20), 11-22-19 (resubmitted on 1-31-20), and 3-13-20. All three of the Inmate / Offender Grievance Forms have also been sent to the ARA at P.O. Box 11400, Oklahoma City. No Response has ever been received.

Further, Affiant Sayeth Naught:

Dated this: 9/9/2020

/s/ Teri Savage
Signature

Subscribed and Sworn to before me this 9 day of Sept, 2020
Paula Bethea
NOTORY PUBLIC

My Commission Expires: 9-28-2024

My Commission Number is: 13009305



Section-06 Classification	OP-060211	Page: 11	Effective Date: 07/18/2017
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D. Conditions Where Credits Are Restricted or Not Awarded

1. Offenses in which the law requires an inmate serve a minimum portion of the sentence before being eligible for release.
 - a. Effective November 1, 1988, inmates convicted of Racketeering Activities under 22 O.S. Section 1401, the Oklahoma Corrupt Organizations Act, must serve one-half (1/2) of their sentence before becoming eligible for work release, house arrest, PPCS, parole, or release from confinement on any other basis. Sentencing under this act can be identified by a Judgment and Sentence utilizing the language "racketeering" or "racketeering activity."
 - b. Effective March 1, 2000, 21 O.S., Section 13.1 provided that inmates who are convicted of certain crimes must serve eighty-five percent (85%) of their sentence of imprisonment before becoming eligible for parole consideration and shall not be eligible for earned credits or any other type of credits which have the effect of reducing the length of the sentence to less than 85% of the sentence imposed. Therefore inmates serving a sentence for any of the crimes listed below committed on or after March 1, 2000 are eligible to earn credits during the first 85% percent of the sentence; however, said credits will not be applied towards the sentence until the inmate has served 85% of said sentence. The affected crimes are:

Abuse (other than sexual abuse), neglect or exploitation by a caretaker, 21 O.S. § 843.1 (eff. 6/5/2001)

Abuse of a vulnerable adult who is a resident of a nursing facility, 43A O.S. Section 10-103 (eff. 3/8/2002).

Aggravated assault and battery upon any person defending another person from assault and battery (eff. 11/1/2011).

Arson I, 21 O.S. § 1401 (eff. 3/1/2000)

Assault and Battery with a Deadly Weapon, 21 O.S. § 652 (eff. 7/1/2001)

Assault with Intent to Kill, 21 O.S. § 653 (eff. 7/1/2001)

Bombing, 21 O.S. § 1767.1 (eff. 3/1/2000)

Burglary I, 21 O.S. § 1436 (eff. 3/1/2000)

Child Abuse, 21 O.S. § 843.5 (eff. 3/1/2000)

Child Pornography, 21 O.S. §§ 1021.2, 1024.1 (eff. 3/1/2000)

Child Prostitution, 21 O.S. § 1030; (eff. 3/1/2000)

Conjoint Robbery, 21 O.S. § 800 (eff. 7/1/2001)

Section-06 Classification	OP-060211	Page: 12	Effective Date: 07/18/2017
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Forcible Sodomy, 21 O.S. § 888 (eff. 3/1/2000)
 Lewd Molestation of a Child, 21 O.S. § 1123 (eff. 3/1/2000)
 Manslaughter I, 21 O.S. § 711 (eff. 7/1/2001)
 Murder I, 21 O.S. § 701.7 (eff. 3/1/2000)
 Murder II, as defined in 21 O.S. § 701.8 (eff. 7/1/2001)
 Parental Consent to Child Pornography, 21 O.S. § 1021.3 (eff. 3/1/2001)
 Poisoning with Intent to Kill, 21 O.S. § 651 (eff. 7/1/2001)
 Rape I, 21 O.S. § 1115 (eff. 3/1/2000)
 Robbery I, 21 O.S. § 797 (eff. 7/1/2001)
 Robbery with a Dang. Weapon, 21 O.S. § 801 (eff. 3/1/2000)
 Sexual Abuse by a Caretaker, 21 O.S. 843.1 (eff. 6/2/2008)
 Shooting with Intent to Kill, 21 O.S. § 652 (eff. 7/1/2001)
 Use of a Vehicle to Facilitate Use of a Firearm, Crossbow or other Weapon, 21 O.S. § 652 (eff. 7/1/2001)

Inmates whose Judgment and Sentences reflect they have been convicted of an "attempt" to commit an 85% crime are not subject to the 85% restriction and are eligible to earn credits toward the service of their entire sentence. (Robertson v JCCC, HC-2005-768 (OCCA 2006); Day v State, F-2007-526 (OCCA 2008) unpublished) However, this does not apply to the crimes of: Attempt to Kill, 21 O.S. § 652; and attempts to damage, injure, or kill with the Possession, Use, Manufacturing or Telephone Threat of Incendiary Device or Bomb, 21 O.S. § 1767.1, as these statutes describe crimes in which the term "attempt" is an element of the crime.

c. Effective April 16, 1982, inmates sentenced under the 1982 amendment to 21 O.S. Section 801, serving at least their third felony conviction for Robbery or Attempted Robbery With a Dangerous Weapon or Imitation Firearm, will not be eligible for good time credits for a period of ten years from reception, minus jail time. Section 801 contains two paragraphs. The first paragraph describes the crime and its punishment; the second paragraph provides for an enhanced sentence with no earned credits for ten years. Unless the commitment document specifies sentencing under the enhancement provision of the statute, the sentence will fall under the first paragraph. To determine enhancement under Section 801, the commitment document will be reviewed for any of the following:

(1) A statement indicating enhancement under 21 O.S. Section 801;

Inmate Request

Issues relating to any of the following areas must be submitted to the Law Library on a "Request to Staff" form: Discrimination, Classification, Complaint Against Staff, Condition of Confinement, Disciplinary Process, Legal, Medical, Property, Records/Sentence Administration, and Religion.

This form is not utilized for exhaustion of administrative remedies; you must use the "Request to Staff" for those issues.

To: Susan Davidson Facility/Unit: WCC Date: 9/24/18
(Name/Title of Staff Member)

SUBJECT: State completely, but briefly, the request on which you desire assistance. This statement must be specific as to the request, dates, place, personnel involved. Only one request or incident per "Inmate Request" is allowed. The requests addressed on this form are for routine administrative matters such as request for wake-up call, replacement clothing, phone calls, scheduling special/legal visit, hygiene items, etc. Your failure to specifically state your request may result in this Inmate Request being returned denied.

I am requesting my legal order to be reviewed according to my certified docket my crime was committed on May 1, 1999. According to Title 21, § 12.1 I would only be 85% if my crime was committed on or after March 1st, 2000. Why am I not receiving my GOC's and Level credits for my time? Why am I under a 85% date?

Name: OLIVER, Ralph Doc # 413607 Unit & Cell #: EN-260
(Print)
Signature: Ralph Oliver Work Assignment: _____

DO NOT WRITE BELOW THIS LINE

DISPOSITION:

A determination was made in 2012 by Sentence Administration that your crime is an 85% crime. Unless there has been a change since then & documentation is provided by the court to us, the 85% sentence is final.

Leila Keese, CDO
Staff Member

9/24/18
Date

DOC 030101A
(R 2/17)

Exhibit 28
Page 1091

Facility Copy

Notification of Parole Consideration Date

Form 008-1
(7-98)Exhibit 29
Page 1 of 1

Name: RALPH OLIVER Date: 11/15/2007

DOC Number: 413607 Facility: JHCC

Parole Docket: AUGUST 2008

Parole docket date is based upon:

T/S 50 percent of sentence One-Third (Crime committed on or after July 1, 1998) 57 O.S.322.7B

T/S 75 percent of sentence

T/S 85 percent of sentence

One-Third of the sentence

Three or more Incarcerations for three or more felonies, which requires you to serve the lesser of one-third or ten years (57 O.S. 332.7 B.)

Three or more convictions for robbery, which requires you to serve ten years (21 O.S. 801)

Convictions for racketeering, which requires you to serve one-half of the sentence (22 O.S. 1404)

Annual from:

Escape return
 Return / Rebill to parole violation
 Return from PPCS for program failure
 Last favorable consideration
 Other:

No Docket:

Projected Discharge within 180 days
 Delayed Sentencing Program
 Sentence Suspended upon program completion
 Parole Violation-less than 28 months to serve
 Sentence of Life without parole
 Death Sentence

Denial:

Annual
 Two Years
 Three Years
 Four Years
 Five Years
 No Redocket
 One-third
 Prior to Discharge

Waiver:

Annual
 Two Years
 Three Years
 Four Years
 Five Years
 No Redocket
 One-third
 Prior to Discharge

Reason For This Docketing:

Initial Docketing _____
 Rebill _____
 Jail Time Modification _____
 Escape Redocket _____
 Delayed CC _____
 CS case _____

Detainer _____
 Appeal _____
 Audit _____
 Other BOARD DENIAL _____

Missing Information:

Jail Time _____
 FBI Abstract _____
 OSBI Abstract _____
 Other _____

Comments:

DATE: MAR-15-02 10:19AM

Exhibit 30
Page 1 of 2

OMS0002D

OKlahoma Department of Corrections
Reception Information

Name: Ralph Oliver

DOC Number: 413607 DOB: 11-6-63 Gender: Male Race: White

Return Type: New Reception

Classification Track: 4

SSN: 575-08-1450

FBI:

OSBI:

County of Sentence	CRF #	Reception Date	Jail Time	DRC
Tuls	2001-1429	03-15-2002	377 DAYS	12
Comments: Denies Priors // Claims Juv ARR HAWAII 22 yrs ago // Claims Appeal Cases in Tulsa Credit for Time Served; Runs with each other // Not 85% - Crime Occurred MAY 1, 1999 // Complete Sex off TRT Prog @ JHCC NO Judicial Review				
Offense CT CS				
711510 1 N Sexually Battery A Minor Child int 02-19-16, 15 0 0 " " 2 Y " 11 INC 02-18-2031 15 " " 3 Y " " 1 INC 02-17-2046 15 0 0				

Reception Information

Exhibit 30
Page 2 of 2

Page: 1

Name: RALPH OLIVER

DOC Number: 413607 DOB: 11-06-1963 Gender: Male Race: White

Return Type: NEW RECEPTION

Classification Track: 4

SSN: 575-08-1450

FBI:

OSBI:

County of Sentence	CRF Number	Reception Date	Jail Time	DRC																															
TULS	2001-1429	03-15-2002	377 Days	12																															
Comment: DENIES PRIORS// CLAIMS JUV ARR HAWAII 22 YRS AGO// CLAIMS APPEAL CASES IN TULSA/ CREDIT FOR TIME SERVED; RUN CS WITH EACH OTHER// NOT 85%- CRIME OCCURED MAY 01. 1999/ COMPLETE SEX OFF TRT PROG @ JHCC NO JUDICIAL REVIEW																																			
<table> <thead> <tr> <th>Offense</th> <th>Ct</th> <th>CS</th> <th>Release Date</th> <th>Years</th> <th>Months</th> <th>Days</th> </tr> </thead> <tbody> <tr> <td>7115 10</td> <td>1</td> <td>N SEXUALLY BATTERY A MINOR CHILD</td> <td>INC</td> <td>02-19-2016</td> <td>15</td> <td>0</td> <td>0</td> </tr> <tr> <td>7115 10</td> <td>2</td> <td>Y SEXUALLY BATTERY A MINOR CHILD</td> <td>INC</td> <td>02-18-2031</td> <td>15</td> <td>0</td> <td>0</td> </tr> <tr> <td>7115 10</td> <td>3</td> <td>Y SEXUALLY BATTERY A MINOR CHILD</td> <td>INC</td> <td>02-17-2046</td> <td>15</td> <td>0</td> <td>0</td> </tr> </tbody> </table>					Offense	Ct	CS	Release Date	Years	Months	Days	7115 10	1	N SEXUALLY BATTERY A MINOR CHILD	INC	02-19-2016	15	0	0	7115 10	2	Y SEXUALLY BATTERY A MINOR CHILD	INC	02-18-2031	15	0	0	7115 10	3	Y SEXUALLY BATTERY A MINOR CHILD	INC	02-17-2046	15	0	0
Offense	Ct	CS	Release Date	Years	Months	Days																													
7115 10	1	N SEXUALLY BATTERY A MINOR CHILD	INC	02-19-2016	15	0	0																												
7115 10	2	Y SEXUALLY BATTERY A MINOR CHILD	INC	02-18-2031	15	0	0																												
7115 10	3	Y SEXUALLY BATTERY A MINOR CHILD	INC	02-17-2046	15	0	0																												